

~~20A-419. SAME; STERILIZATION:~~

~~A HEALTH CARE AGENT MAY INSTRUCT THAT A STERILIZATION PROCEDURE BE PERFORMED ONLY IF A POWER OF ATTORNEY FOR HEALTH CARE DECISIONS SPECIFICALLY AUTHORIZES THE HEALTH CARE AGENT TO MAKE DECISIONS CONCERNING THAT PROCEDURE.~~

~~20A-420. RESCISION.~~

~~A PRINCIPAL MAY RESCIND THE AUTHORITY OF THE HEALTH CARE AGENT TO ACT IN REGARD TO ANY PROPOSED HEALTH CARE DECISION BY WRITTEN STATEMENT OR OTHER FORM OF COMMUNICATION THAT WOULD BE SUFFICIENT TO REVOKE A HEALTH CARE DECISION MAKING DOCUMENT UNDER § 20A-403 OF THIS SUBTITLE.~~

~~20A-421. LIABILITY OF HEALTH CARE AGENT.~~

~~(A) A HEALTH CARE AGENT IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY AS A RESULT OF A GOOD FAITH EXERCISE OF THE AUTHORITY GRANTED UNDER A POWER OF ATTORNEY FOR HEALTH CARE DECISIONS.~~

~~(B) IF THE AUTHORITY OF A HEALTH CARE AGENT HAS BEEN RESCINDED UNDER § 20A-420 OF THIS SUBTITLE, OR IF A POWER OF ATTORNEY FOR HEALTH CARE DECISIONS HAS BEEN REVOKED UNDER § 20A-403 OF THIS SUBTITLE, A HEALTH CARE AGENT WHO EXERCISES AUTHORITY UNDER THE POWER OF ATTORNEY FOR HEALTH CARE DECISIONS WITHOUT KNOWLEDGE OF THE RESCISION OR REVOCATION HAS THE IMMUNITY PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.~~

SUBTITLE 5. SURROGATE DECISION MAKING

~~20A-501. ORDER OF PRIORITY OF SURROGATE DECISION MAKERS.~~

~~(A) IN THIS SECTION, "UNAVAILABLE" MEANS:~~

~~(1) AFTER REASONABLE INQUIRY, A HEALTH CARE PROVIDER IS UNAWARE OF THE EXISTENCE OF A SURROGATE DECISION MAKER;~~

~~(2) AFTER REASONABLE INQUIRY, A HEALTH CARE PROVIDER CANNOT ASCERTAIN THE WHEREABOUTS OF A SURROGATE DECISION MAKER;~~

~~(3) A SURROGATE DECISION MAKER HAS NOT RESPONDED IN A TIMELY MANNER, TAKING INTO ACCOUNT THE HEALTH CARE NEEDS OF THE INDIVIDUAL; TO A WRITTEN OR ORAL MESSAGE FROM A HEALTH CARE PROVIDER;~~

~~(4) A SURROGATE DECISION MAKER IS INCAPACITATED;~~

~~(5) A SURROGATE DECISION MAKER IDENTIFIED IN SUBSECTION (C)(6) OF THIS SECTION DOES NOT PRESENT THE AFFIDAVIT REQUIRED UNDER SUBSECTION (C)(6) OF THIS SECTION; OR~~

~~(6) A SURROGATE DECISION MAKER IS UNWILLING TO MAKE DECISIONS CONCERNING HEALTH CARE FOR THE INDIVIDUAL.~~