

~~(I) THE HEALTH CARE DECISION IS INCONSISTENT WITH A PRIOR HEALTH CARE DECISION OF THE INDIVIDUAL MADE UNDER § 20A-301 OF THIS TITLE;~~

~~(II) THE INCAPACITATED INDIVIDUAL HAS EXPRESSED DISAGREEMENT WITH THE DECISION; OR~~

~~(III) THE DECISION IS NOT REASONABLE OR PRUDENT.~~

~~20A-504. SAME; STERILIZATION, OR MENTAL DISORDER.~~

~~A SURROGATE DECISION MAKER MAY NOT INSTRUCT A HEALTH CARE PROVIDER TO:~~

~~(1) PERFORM A STERILIZATION PROCEDURE; OR~~

~~(2) PROVIDE HEALTH CARE FOR A MENTAL DISORDER.~~

~~20A-505. LIABILITY OF SURROGATE DECISION MAKER.~~

~~A SURROGATE DECISION MAKER IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY AS A RESULT OF A GOOD FAITH EXERCISE OF THE AUTHORITY GRANTED UNDER THIS SUBTITLE.~~

~~SUBTITLE 6. LIFE-SUSTAINING PROCEDURES; PROTECTION OF CHILDREN~~

~~Article — Estates and Trusts~~

~~13-601.~~

~~(a) [If] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IF a principal designates his attorney in fact or agent by a power of attorney in writing and the writing contains the words~~

~~(1) "This power of attorney shall not be affected by disability of the principal", or~~

~~(2) "This power of attorney becomes effective upon the disability of the principal", or~~

~~(3) Similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding [his] THE disability OF THE PRINCIPAL, the authority of the attorney in fact or agent is exercisable [by him] notwithstanding the later disability of the principal or uncertainty whether the principal is dead or alive.~~

~~(b) Any act done by the attorney in fact or agent pursuant to the power during any period of disability or incompetence or uncertainty as to whether the principal is dead or alive has the same effect and inures to the benefit of and binds the principal as if the principal were alive, competent, and not disabled.~~

~~(c) If a guardian is appointed for the principal, the attorney in fact or agent shall account to the guardian rather than the principal. The guardian has the same power the principal would have but for [his] THE disability OF THE PRINCIPAL or incompetence to revoke, suspend, or terminate all or any part of the power of attorney or agency.~~