

(D) "ATTENDING PHYSICIAN" MEANS THE PHYSICIAN WHO HAS PRIMARY RESPONSIBILITY FOR THE TREATMENT AND CARE OF THE PATIENT.

(E) "BEST INTEREST" MEANS THAT THE BENEFITS TO THE INDIVIDUAL RESULTING FROM A TREATMENT OUTWEIGH THE BURDENS TO THE INDIVIDUAL RESULTING FROM THAT TREATMENT, TAKING INTO ACCOUNT:

(1) THE EFFECT OF THE TREATMENT ON THE PHYSICAL, EMOTIONAL, AND COGNITIVE FUNCTIONS OF THE INDIVIDUAL;

(2) THE DEGREE OF PHYSICAL PAIN OR DISCOMFORT CAUSED TO THE INDIVIDUAL BY THE TREATMENT, OR THE WITHHOLDING OR WITHDRAWAL OF THE TREATMENT;

(3) THE DEGREE TO WHICH THE INDIVIDUAL'S MEDICAL CONDITION, THE TREATMENT, OR THE WITHHOLDING OR WITHDRAWAL OF TREATMENT RESULT IN A SEVERE AND CONTINUING IMPAIRMENT OF THE DIGNITY OF THE INDIVIDUAL BY SUBJECTING THE INDIVIDUAL TO A CONDITION OF EXTREME HUMILIATION AND DEPENDENCY;

(4) THE EFFECT OF THE TREATMENT ON THE LIFE EXPECTANCY OF THE INDIVIDUAL;

(5) THE PROGNOSIS OF THE INDIVIDUAL FOR RECOVERY, WITH AND WITHOUT THE TREATMENT;

(6) THE RISKS, SIDE EFFECTS, AND BENEFITS OF THE TREATMENT OR THE WITHHOLDING OR WITHDRAWAL OF THE TREATMENT; AND

(7) THE RELIGIOUS BELIEFS AND BASIC VALUES OF THE INDIVIDUAL RECEIVING TREATMENT, TO THE EXTENT THESE MAY ASSIST THE DECISION MAKER IN DETERMINING BEST INTEREST.

(F) "COMPETENT INDIVIDUAL" MEANS A PERSON WHO IS AT LEAST 18 YEARS OF AGE OR WHO UNDER § 20-102(A) OF THIS ARTICLE HAS THE SAME CAPACITY AS AN ADULT TO CONSENT TO MEDICAL TREATMENT AND WHO HAS NOT BEEN DETERMINED TO BE INCAPABLE OF MAKING AN INFORMED DECISION.

(G) "DECLARANT" MEANS A COMPETENT INDIVIDUAL WHO MAKES AN ADVANCE DIRECTIVE WHILE CAPABLE OF MAKING AND COMMUNICATING AN INFORMED DECISION.

(H) "EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE ORDER" MEANS A PHYSICIAN'S WRITTEN ORDER IN A FORM ESTABLISHED BY PROTOCOL ISSUED BY THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES IN CONJUNCTION WITH THE STATE BOARD OF PHYSICIAN QUALITY ASSURANCE WHICH, IN THE EVENT OF A CARDIAC OR RESPIRATORY ARREST OF A PARTICULAR PATIENT, AUTHORIZES CERTIFIED EMERGENCY MEDICAL SERVICES PERSONNEL TO WITHHOLD OR WITHDRAW CARDIOPULMONARY RESUSCITATION INCLUDING CARDIAC COMPRESSION, ENDOTRACHEAL INTUBATION, OTHER ADVANCED AIRWAY MANAGEMENT TECHNIQUES, ARTIFICIAL VENTILATION, DEFIBRILLATION, AND OTHER RELATED LIFE-SUSTAINING PROCEDURES.