

(I) "END-STAGE CONDITION" MEANS AN ADVANCED, PROGRESSIVE, IRREVERSIBLE CONDITION CAUSED BY INJURY, DISEASE, OR ILLNESS:

(1) THAT HAS CAUSED SEVERE AND PERMANENT DETERIORATION INDICATED BY INCOMPETENCY AND COMPLETE PHYSICAL DEPENDENCY; AND

(2) FOR WHICH, TO A REASONABLE DEGREE OF MEDICAL PROBABILITY CERTAINTY, TREATMENT OF THE IRREVERSIBLE CONDITION WOULD BE MEDICALLY INEFFECTIVE.

(J) "HEALTH CARE PRACTITIONER" MEANS:

(1) AN INDIVIDUAL LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE; OR

(2) THE ADMINISTRATOR OF A HOSPITAL OR A PERSON DESIGNATED BY THE ADMINISTRATOR IN ACCORDANCE WITH HOSPITAL POLICY.

(K) (1) "HEALTH CARE PROVIDER" MEANS A HEALTH CARE PRACTITIONER OR A FACILITY THAT PROVIDES HEALTH CARE TO INDIVIDUALS.

(2) "HEALTH CARE PROVIDER" INCLUDES AGENTS OR EMPLOYEES OF A HEALTH CARE PRACTITIONER OR A FACILITY THAT PROVIDES HEALTH CARE TO INDIVIDUALS.

(L) (1) "INCAPABLE OF MAKING AN INFORMED DECISION" MEANS THE INABILITY OF AN ADULT PATIENT TO MAKE AN INFORMED DECISION ABOUT THE PROVISION, WITHHOLDING, OR WITHDRAWAL OF A SPECIFIC MEDICAL TREATMENT OR COURSE OF TREATMENT BECAUSE THE PATIENT IS UNABLE TO UNDERSTAND THE NATURE, EXTENT, OR PROBABLE CONSEQUENCES OF THE PROPOSED TREATMENT OR COURSE OF TREATMENT, IS UNABLE TO MAKE A RATIONAL EVALUATION OF THE BURDENS, RISKS, AND BENEFITS OF THE TREATMENT OR COURSE OF TREATMENT, OR IS UNABLE TO COMMUNICATE A DECISION.

(2) FOR THE PURPOSES OF THIS SUBTITLE, A COMPETENT INDIVIDUAL WHO IS ABLE TO COMMUNICATE BY MEANS OTHER THAN SPEECH MAY NOT BE CONSIDERED INCAPABLE OF MAKING AN INFORMED DECISION.

(M) (1) "LIFE-SUSTAINING PROCEDURE" MEANS ANY MEDICAL PROCEDURE, TREATMENT, OR INTERVENTION THAT:

(I) UTILIZES MECHANICAL OR OTHER ARTIFICIAL MEANS TO SUSTAIN, RESTORE, OR SUPPLANT A SPONTANEOUS VITAL FUNCTION; AND

(II) IS OF SUCH A NATURE AS TO AFFORD A PATIENT NO REASONABLE EXPECTATION OF RECOVERY FROM A TERMINAL CONDITION, PERSISTENT VEGETATIVE STATE, OR END-STAGE CONDITION.

(2) "LIFE-SUSTAINING PROCEDURE" INCLUDES ARTIFICIALLY ADMINISTERED HYDRATION AND NUTRITION, AND CARDIOPULMONARY RESUSCITATION.