

(B) ON PETITION OF THE PATIENT'S SPOUSE, A PARENT, ADULT CHILD, GRANDCHILD, BROTHER, OR SISTER OF THE PATIENT, OR A FRIEND OR OTHER RELATIVE WHO HAS QUALIFIED AS A SURROGATE UNDER § 5-605 OF THIS SUBTITLE TO A CIRCUIT COURT OF THE COUNTY OR CITY IN WHICH THE PATIENT FOR WHOM TREATMENT WILL BE OR IS CURRENTLY BEING PROVIDED, WITHHELD, OR WITHDRAWN UNDER THIS SUBTITLE RESIDES OR IS LOCATED, THE COURT MAY ENJOIN THAT ACTION UPON FINDING BY A PREPONDERANCE OF THE EVIDENCE THAT THE ACTION IS NOT LAWFULLY AUTHORIZED BY THIS SUBTITLE OR BY OTHER STATE OR FEDERAL LAW.

(C) EXCEPT FOR CASES THAT THE COURT CONSIDERS OF GREATER IMPORTANCE, A PROCEEDING UNDER THIS SECTION, INCLUDING AN APPEAL, SHALL:

- (1) TAKE PRECEDENCE ON THE DOCKET;
- (2) BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND
- (3) BE EXPEDITED IN EVERY WAY.

5-613. TRANSFER OF PATIENT BY HEALTH CARE PROVIDER WHO REFUSES TO COMPLY WITH ADVANCE DIRECTIVE OR TREATMENT DECISION.

(A) A HEALTH CARE PROVIDER THAT INTENDS NOT TO COMPLY WITH AN INSTRUCTION OF A HEALTH CARE AGENT OR A SURROGATE SHALL:

- (1) INFORM THE PERSON GIVING THE INSTRUCTION THAT:

(I) THE HEALTH CARE PROVIDER DECLINES TO CARRY OUT THE INSTRUCTION;

(II) THE PERSON MAY REQUEST A TRANSFER TO ANOTHER HEALTH CARE PROVIDER; AND

(III) THE HEALTH CARE PROVIDER WILL MAKE EVERY REASONABLE EFFORT TO TRANSFER THE PATIENT TO ANOTHER HEALTH CARE PROVIDER;

- (2) ASSIST IN THE TRANSFER; AND

(3) PENDING THE TRANSFER, COMPLY WITH AN INSTRUCTION OF A COMPETENT INDIVIDUAL, OR OF A HEALTH CARE AGENT OR SURROGATE FOR AN INDIVIDUAL WHO IS INCAPABLE OF MAKING AN INFORMED DECISION, IF A FAILURE TO COMPLY WITH THE INSTRUCTION WOULD LIKELY RESULT IN THE DEATH OF THE INDIVIDUAL.

(B) NOTHING IN THIS SECTION AUTHORIZES A HEALTH CARE PROVIDER TO PROVIDE HEALTH CARE TO:

(1) A COMPETENT INDIVIDUAL OVER THE OBJECTION OF THAT INDIVIDUAL; OR