

[(1)](I) The medical procedure;

[(2)](II) Withholding the medical procedure; or

[(3)](III) Withdrawing the medical procedure that involves, or would involve, a substantial risk to the life of the disabled person.

(2) THE COURT MAY, UPON SUCH CONDITIONS AS THE COURT CONSIDERS APPROPRIATE, AUTHORIZE A GUARDIAN TO MAKE A DECISION REGARDING MEDICAL PROCEDURES THAT INVOLVE A SUBSTANTIAL RISK TO LIFE WITHOUT FURTHER COURT AUTHORIZATION, IF:

(I) THE DISABLED PERSON HAS EXECUTED AN ADVANCE DIRECTIVE IN ACCORDANCE WITH TITLE 5, SUBTITLE 6 OF THE HEALTH - GENERAL ARTICLE THAT AUTHORIZES THE GUARDIAN TO CONSENT TO THE PROVISION, WITHHOLDING OR WITHDRAWAL OF A MEDICAL PROCEDURE THAT INVOLVES A SUBSTANTIAL RISK TO LIFE BUT DOES NOT APPOINT A HEALTH CARE AGENT; OR

(II) THE GUARDIAN IS ALSO THE DISABLED PERSON'S SPOUSE, ADULT CHILD, PARENT, OR ADULT BROTHER OR SISTER.

(3) A PETITION SEEKING THE AUTHORIZATION OF A COURT THAT A LIFE-SUSTAINING PROCEDURE BE WITHHELD OR WITHDRAWN IS SUBJECT TO THE PROVISIONS OF §§ 13-711 THROUGH 13-713 OF THIS SUBTITLE.

PART III. LIFE-SUSTAINING PROCEDURES

13-711. DEFINITIONS.

(A) IN THIS PART III OF THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

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

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

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

(3) THE DEGREE TO WHICH THE ~~INDIVIDUAL'S~~ DISABLED PERSON'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~~ DISABLED PERSON 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~~ DISABLED PERSON;