

~~(G)~~ (B) CERTIFICATION OF CONDITION. — A HEALTH CARE PROVIDER MAY NOT WITHHOLD OR WITHDRAW ~~LIFE-PROLONGING~~ LIFE-SUSTAINING PROCEDURES ON THE BASIS OF AN ADVANCE DIRECTIVE WHERE NO AGENT HAS BEEN APPOINTED OR ON THE BASIS OF THE AUTHORIZATION OF A SURROGATE, UNLESS:

(1) ~~TWO PHYSICIANS~~ THE PATIENT'S ATTENDING PHYSICIAN AND A SECOND PHYSICIAN HAVE CERTIFIED THAT THE PATIENT IS ~~TERMINALLY ILL IN A~~ TERMINAL CONDITION OR HAS AN ~~INEVITABLY FATAL~~ END-STAGE CONDITION; OR

(2) ~~A PHYSICIAN AND~~ TWO PHYSICIANS, ONE OF WHOM IS A NEUROLOGIST, NEUROSURGEON, OR OTHER PHYSICIAN WHO HAS SPECIAL EXPERTISE IN THE EVALUATION OF COGNITIVE FUNCTIONING, CERTIFY THAT THE PATIENT IS IN A PERSISTENT VEGETATIVE STATE.

~~(H) COURT ACTION. — (1) ON PETITION OF ANY PERSON THE PATIENT'S SPOUSE, A PARENT OF THE PATIENT, OR AN ADULT CHILD, GRANDCHILD, BROTHER, OR SISTER OF THE PATIENT TO A CIRCUIT COURT OF THE COUNTY OR CITY IN WHICH ANY PATIENT RESIDES OR IS LOCATED FOR WHOM TREATMENT WILL BE OR IS CURRENTLY BEING PROVIDED, WITHHELD, OR WITHDRAWN UNDER THIS SUBTITLE, THE COURT MAY ENJOIN THAT ACTION UPON FINDING BY A PREPONDERANCE OF THE EVIDENCE THAT THE ACTION IS NOT LAWFULLY AUTHORIZED BY THIS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.~~

~~(2) A PETITION ARISING UNDER THIS SUBSECTION SHALL BE GIVEN PRIORITY BY THE COURT AND SHALL BE HEARD AND DECIDED AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.~~

5-606. 5-607. TREATMENT WITHOUT CONSENT.

A HEALTH CARE PROVIDER MAY TREAT A PATIENT WHO IS INCAPABLE OF MAKING AN INFORMED DECISION, WITHOUT CONSENT, IF:

(1) THE TREATMENT IS OF AN EMERGENCY MEDICAL NATURE;

(2) A PERSON WHO IS AUTHORIZED TO GIVE THE CONSENT IS NOT AVAILABLE IMMEDIATELY; AND

(3) THE ATTENDING PHYSICIAN DETERMINES THAT:

(I) THERE IS A SUBSTANTIAL RISK OF DEATH OR IMMEDIATE AND SERIOUS HARM TO THE PATIENT; AND

(II) WITH A REASONABLE DEGREE OF MEDICAL PROBABILITY, THE LIFE OR HEALTH OF THE PATIENT WOULD BE AFFECTED ADVERSELY BY DELAYING TREATMENT TO OBTAIN CONSENT.

5-606. 5-607. 5-608. AUTHORIZATION TO FOLLOW EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE ORDER" IN THE OUTPATIENT SETTING.

(A) ~~QUALIFIED~~ CERTIFIED EMERGENCY MEDICAL SERVICES PERSONNEL SHALL BE DIRECTED BY PROTOCOL TO FOLLOW EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE ORDERS," PERTAINING TO ADULT PATIENTS IN THE