

PART III. LIFE-SUSTAINING PROCEDURES13-711. 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 DISABLED PERSON RESULTING FROM A ~~DECISION ABOUT A~~ MEDICAL TREATMENT OUTWEIGH THE BURDENS TO THE DISABLED PERSON RESULTING FROM THAT ~~DECISION~~ TREATMENT, TAKING INTO ACCOUNT:

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

(2) THE DEGREE OF PHYSICAL PAIN OR DISCOMFORT ~~RESULTING FROM THE MEDICAL CONDITION OF~~ CAUSED TO THE DISABLED PERSON; BY THE MEDICAL TREATMENT; OR THE WITHHOLDING OR WITHDRAWAL OF THE TREATMENT;

(3) THE DEGREE TO WHICH THE 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 DISABLED PERSON BY SUBJECTING THE DISABLED PERSON TO A CONDITION OF EXTREME HUMILIATION AND DEPENDENCY;

(4) THE EFFECT OF THE ~~MEDICAL CONDITION~~ TREATMENT OF THE DISABLED PERSON ON THE LIFE EXPECTANCY OF THE DISABLED PERSON;

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

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

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

(C) "LIFE-SUSTAINING PROCEDURE" MEANS ANY MEDICAL PROCEDURE, TREATMENT, OR INTERVENTION USED TO SUSTAIN, RESTORE, SUPPLEMENT, OR SUPPLANT A SPONTANEOUS VITAL FUNCTION IN ORDER TO PREVENT OR POSTPONE THE DEATH OF A DISABLED PERSON.

(D) "SUBSTITUTED JUDGMENT" MEANS A DETERMINATION BY A COURT THAT A DISABLED PERSON WOULD, IF COMPETENT, MAKE THE SAME HEALTH CARE DECISION REGARDING A LIFE-SUSTAINING PROCEDURE TAKING INTO ACCOUNT ANY INFORMATION THAT MAY BE RELEVANT TO THE DECISION, INCLUDING:

(1) THE CURRENT DIAGNOSIS, PROGNOSIS WITH AND WITHOUT THE LIFE-SUSTAINING PROCEDURE, AND LIFE EXPECTANCY OF THE DISABLED PERSON;