

of the person or property of a minor child of a parent for whom there is a significant risk of dying or becoming incapacitated within a certain period; requiring a petition for appointment of a standby guardian to contain certain information; requiring a decree appointing a person as standby guardian to specify when the guardianship shall become effective; providing for a parent's consent to the beginning of a standby guardianship under certain circumstances; establishing procedures, including forms, for the designation of a standby guardian and for the consent to the designation of a standby guardian; providing for the beginning of the authority of a standby guardian under this Act; requiring a standby guardian to file a certain petition for appointment under certain circumstances; requiring a court to make an appointment of a standby guardian under certain circumstances; providing for the revocation of a guardianship under this Act; requiring a determination of incapacity or debilitation under this Act to be made in a certain manner; defining certain terms; and generally relating to the designation, appointment, and effectiveness of a standby guardian.

BY adding to

Article – Estates and Trusts

Section 13–901 through 13–908 to be under the new subtitle “Subtitle 9. Standby Guardian”

Annotated Code of Maryland

(1991 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Estates and Trusts

SUBTITLE 9. STANDBY GUARDIAN

13–901.

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

(B) (1) “ATTENDING PHYSICIAN” MEANS A PHYSICIAN WHO HAS PRIMARY RESPONSIBILITY FOR THE TREATMENT AND CARE OF A PARENT DESCRIBED UNDER THIS SUBTITLE.

(2) IF MORE THAN ONE PHYSICIAN SHARES THE RESPONSIBILITY FOR THE TREATMENT AND CARE OF A PARENT OR IF ANOTHER PHYSICIAN IS ACTING ON THE ATTENDING PHYSICIAN'S BEHALF, ANY PHYSICIAN DESCRIBED IN THIS PARAGRAPH MAY ACT AS THE ATTENDING PHYSICIAN UNDER THIS SUBTITLE.

(3) IF NO PHYSICIAN HAS RESPONSIBILITY FOR THE TREATMENT AND CARE OF A PARENT, ANY PHYSICIAN WHO IS FAMILIAR WITH THE PARENT'S MEDICAL CONDITION MAY ACT AS THE ATTENDING PHYSICIAN UNDER THIS SUBTITLE.