

adult patients in the outpatient setting in accordance with protocols established by the Maryland Institute for Emergency Medical Services Systems in conjunction with the State Board of Physician Quality Assurance.

(2) Emergency medical services "do not resuscitate orders" may not authorize the withholding of medical interventions, or therapies deemed necessary to provide comfort care or to alleviate pain.

(b) This section does not authorize emergency medical SERVICES personnel to follow an emergency medical services "do not resuscitate order" for any patient who, prior to cardiac or respiratory arrest, is able to, and does, express to those personnel the desire to be resuscitated.

(c) This section does not authorize emergency medical services personnel in the outpatient setting to follow an emergency medical services "do not resuscitate order" that is in any form other than:

(1) An emergency medical services "do not resuscitate order" described in subsection (a) of this section;

(2) An oral emergency medical services "do not resuscitate order" provided by an on-line, emergency medical services medical command and control physician; or

(3) An oral emergency medical services "do not resuscitate order" provided by a physician, as defined in § 5-601 of this subtitle, who is physically present on the scene with the patient and the emergency medical services personnel in the outpatient setting.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN ADDITION TO THE IMMUNITY PROVIDED IN § 5-609 OF THIS SUBTITLE AND ANY OTHER IMMUNITY PROVIDED BY LAW, AN EMERGENCY MEDICAL SERVICES PROVIDER IS NOT SUBJECT TO CRIMINAL OR CIVIL LIABILITY, OR DEEMED TO HAVE ENGAGED IN UNPROFESSIONAL CONDUCT AS DETERMINED BY THE APPROPRIATE LICENSING OR CERTIFYING AUTHORITY, ARISING OUT OF A CLAIM CONCERNING THE PROVISION OF HEALTH CARE IF:

(+) (I) THE CLAIM IS BASED ON LACK OF CONSENT OR AUTHORIZATION FOR THE HEALTH CARE;

(+) (II) SUBSECTION (A) OF THIS SECTION WOULD ORDINARILY APPLY;  
AND

(+) (III) THE EMERGENCY MEDICAL SERVICES PROVIDER:

(+) 1. ACTS IN GOOD FAITH IN PROVIDING THE HEALTH CARE;  
AND

(+) 2. BELIEVES REASONABLY THAT SUBSECTION (A)(1) OF THIS SECTION DOES NOT APPLY.

(2) THIS SUBSECTION DOES NOT APPLY IF THE PATIENT IS WEARING A VALID, LEGIBLE, AND PATIENT-IDENTIFYING EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE ORDER" IN BRACELET FORM.