

regarding medical procedures that involve a substantial risk to the life of a disabled person without further court authorization when the guardian is within one of certain classes of individuals and the court determines the guardian is familiar with the certain circumstances of the disabled person; and generally relating to allowing the court to authorize a guardian to make decisions regarding medical procedures that involve a substantial risk to life.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 13-708

Annotated Code of Maryland

(1991 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, without amendments,

Article - Health - General

Section 5-605(a)(2) and (3)

Annotated Code of Maryland

(2000 Replacement Volume)

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

**Article - Estates and Trusts**

13-708.

(a) (1) The court may grant to a guardian of a person only those powers necessary to provide for the demonstrated need of the disabled person.

(2) The court may appoint a guardian of the person of a disabled person for the limited purpose of making one or more decisions related to the health care of that person.

(b) Subject to subsection (a) of this section, the rights, duties, and powers which the court may order include, but are not limited to:

(1) The same rights, powers, and duties that a parent has with respect to an unemancipated minor child, except that the guardian is not liable solely by reason of the guardianship to third persons for any act of the disabled person;

(2) The right to custody of the disabled person and to establish his place of abode within and without the State, provided there is court authorization for any change in the classification of abode, except that no one may be committed to a mental facility without an involuntary commitment proceeding as provided by law;

(3) The duty to provide for care, comfort, and maintenance, including social, recreational, and friendship requirements, and, if appropriate, for training and education of the disabled person;