

(d) An advance directive made in accordance with this subtitle shall be presumed to have been made voluntarily by a competent individual. Authorization for the provision, withholding or withdrawal of life-sustaining procedures in accordance with this subtitle shall be presumed to have been made in good faith.

19-344.

(f) (5) (I) A FACILITY SHALL OFFER A RESIDENT, UPON ADMISSION, THE OPPORTUNITY FOR THE PREPARATION OF A "PATIENT'S PLAN OF CARE" FORM IN ACCORDANCE WITH § 5-608.1 OF THIS ARTICLE.

(II) IF A FACILITY PREPARES A "PATIENT'S PLAN OF CARE" FORM IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE FORM SHALL REMAIN CONSPICUOUSLY IN THE FRONT OF A RESIDENT'S MEDICAL RECORDS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

May 26, 2004

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 361 – *State Board of Dental Examiners – Regulation of Sedation – Issuance of Permits*.

This bill alters the authority of the State Board of Dental Examiners to adopt specified regulations relating to a specified form of sedation, and prohibits the Board from requiring specified facilities or specified dentists to obtain specified permits under specified circumstances. It requires the Board to develop and draft specified regulations, only after having convened and consulted with a specified committee consisting of specified representatives.

House Bill 558, which was passed by the General Assembly and signed by me on May 11, 2004, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 361.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

Senate Bill No. 361

AN ACT concerning

~~Health Occupations~~ – State Board of Dental Examiners – Regulation of Sedation – Issuance of Permits