

Article - Health - General

Section 20-107(d)

Annotated Code of Maryland

(1990 Replacement Volume and 1990 Supplement)

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

Article - Health - General

20-107.

(d) (1) In the absence of a durable power of attorney that relates to medical care and is executed under § 13-601 of the Estates and Trusts Article, or in the absence of a judicially appointed guardian, conservator, committee, or trustee who has the authority to consent to medical care, any of the following individuals may give a substituted consent for furnishing medical or dental care and treatment to a disabled individual in accordance with the following priorities provided the provisions of subsection (e) of this section have been met:

[(1)] (I) A spouse, or, if not reasonably available;

[(2)] (II) An adult child, or, if not reasonably available;

[(3)] (III) A parent, or, if not reasonably available;

[(4)] (IV) An adult sibling, or, if not reasonably available;

[(5)] (V) A grandparent, or, if not reasonably available;

[(6)] (VI) An adult grandchild, OR, IF NOT REASONABLY AVAILABLE;

(VII) AN ADULT AUNT OR UNCLE, OR, IF NOT REASONABLY AVAILABLE;

(VIII) AN ADULT NIECE OR NEPHEW, OR, IF NOT REASONABLY AVAILABLE;

(IX) AN ADULT COUSIN.

(2) THE INDIVIDUALS LISTED IN PARAGRAPH (1)(VII) THROUGH (IX) OF THIS SUBSECTION ARE ONLY PERMITTED TO PROVIDE SUBSTITUTED CONSENT IN ORDER OF PRIORITY FOR MATTERS THAT DO NOT INVOLVE A SUBSTANTIAL RISK TO LIFE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 9, 1991.