

(VI) A FRIEND OR OTHER RELATIVE OF THE DECEDENT, IF THE INDIVIDUAL:

- 1. IS A COMPETENT INDIVIDUAL; AND
- 2. PRESENTS AN AFFIDAVIT TO THE ATTENDING PHYSICIAN

STATING:

A. THAT THE INDIVIDUAL IS A RELATIVE OR CLOSE FRIEND OF THE DECEDENT; AND

B. SPECIFIC FACTS AND CIRCUMSTANCES DEMONSTRATING THAT THE INDIVIDUAL MAINTAINED REGULAR CONTACT WITH THE DECEDENT SUFFICIENT TO BE FAMILIAR WITH THE DECEDENT'S ACTIVITIES, HEALTH, AND PERSONAL BELIEFS; OR

(VII) ANY OTHER PERSON AUTHORIZED OR REQUIRED TO DISPOSE OF THE BODY.

(3) (I) This subsection does not apply if the decedent has given [actual notice of any objection] CONTRARY DIRECTIONS.

(II) THE FAILURE OF THE DECEDENT TO MAKE A GIFT IS NOT A CONTRARY DIRECTION FOR PURPOSES OF THIS SUBSECTION.

(4) [Notice of an objection] CONTRARY DIRECTIONS GIVEN BY THE DECEDENT under this subsection shall be recorded in the decedent's medical record.

(5) The [hospital administrator or a designee of the hospital administrator] REPRESENTATIVE OF THE APPROPRIATE ORGAN, TISSUE, OR EYE RECOVERY AGENCY OR THE DESIGNATED REQUESTOR and the representative of the deceased patient are entitled to protection from civil and criminal liability as provided in § 4-508(b) of the Estates and Trusts Article.

[(b)](E) In all discussions concerning donations of organs and tissues, the [hospital administrator or a designee of the administrator] REPRESENTATIVE OF THE APPROPRIATE ORGAN, TISSUE, OR EYE RECOVERY AGENCY OR THE DESIGNATED REQUESTOR shall show reasonable discretion and sensitivity:

- (1) To the circumstances of the family of the decedent;
- (2) To the religious beliefs of the decedent; and
- (3) To the nonsuitability for organ or tissue donation of the decedent.

[(c)](F) (1) When a [hospital administrator or a designee of the administrator] REPRESENTATIVE OF THE APPROPRIATE ORGAN, TISSUE, OR EYE RECOVERY AGENCY OR A DESIGNATED REQUESTOR makes a request under subsection [(a)(1)] (D)(1) of this section, the [administrator or] representative OR DESIGNATED REQUESTOR shall[: