

SB0566/313724/1

BY: Delegate Shank

AMENDMENTS TO SENATE BILL 566
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Domestic Partners” and substitute “Power of Attorney”.

On pages 1 and 2, strike beginning with “requiring” in line 3 on page 1 down through “Act;” in line 8 of page 2 and substitute “authorizing an individual to execute a certain power of attorney under certain circumstances;”.

On page 2, in line 8, after “to” insert “a power of attorney for”; and in line 9, strike “by a domestic partner”.

On pages 2 and 3, strike in their entirety the lines beginning with line 10 on page 2 through line 5 on page 3, inclusive, and substitute:

“BY adding to

Article – Estates and Trusts

Section 13-604

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 15, strike in their entirety the lines beginning with line 8 on page 3 through line 5 on page 15, inclusive, and substitute:

“Article – Estates and Trusts

13-604.

(Over)

(A) IN THIS SECTION, “DURABLE POWER OF ATTORNEY” HAS THE MEANING STATED IN § 13-601 OF THIS SUBTITLE.

(B) A PRINCIPAL MAY EXECUTE A DURABLE POWER OF ATTORNEY THAT AUTHORIZES ANOTHER INDIVIDUAL TO:

(1) INSPECT A PERMIT RECORD FOR DISINTERMENT AND REINTERMENT UNDER § 4-215 OF THE HEALTH – GENERAL ARTICLE;

(2) CONSENT FOR A POSTMORTEM EXAMINATION OF A BODY BY A PHYSICIAN UNDER § 5-501 OF THE HEALTH – GENERAL ARTICLE;

(3) ARRANGE FOR THE FINAL DISPOSITION OF THE BODY OF A DECEDENT UNDER § 5-509 OF THE HEALTH – GENERAL ARTICLE;

(4) MAKE DECISIONS ABOUT HEALTH CARE FOR A PRINCIPAL WHO HAS BEEN CERTIFIED TO BE INCAPABLE OF MAKING AN INFORMED DECISION UNDER § 5-605 OF THE HEALTH – GENERAL ARTICLE;

(5) PETITION A CIRCUIT COURT CONCERNING A HEALTH CARE PROVIDER’S WITHHOLDING OR WITHDRAWING OF A LIFE-SUSTAINING PROCEDURE FROM A PRINCIPAL INCAPABLE OF MAKING AN INFORMED DECISION UNDER § 5-612 OF THE HEALTH – GENERAL ARTICLE;

(6) VISIT THE PRINCIPAL IN A HOSPITAL, RELATED INSTITUTION, OR RESIDENTIAL TREATMENT CENTER;

(7) ACCOMPANY THE PRINCIPAL WHEN ILL OR INJURED AND BEING TRANSPORTED TO A HOSPITAL IN AN EMERGENCY VEHICLE;

(8) VISIT THE PRINCIPAL WHEN ILL OR INJURED AND ADMITTED TO A HOSPITAL ON AN EMERGENCY BASIS;

(9) ACCOMPANY THE PRINCIPAL WHEN BEING TRANSPORTED TO OR FROM ANY FACILITY UNDER § 10-807 OF THE HEALTH – GENERAL ARTICLE;

(10) CONSENT TO THE DONATION OF ALL OR ANY OF THE DECEASED PRINCIPAL’S ORGANS OR TISSUES AS AN ANATOMICAL DONATION UNDER § 19-310 OF THE HEALTH – GENERAL ARTICLE;

(11) SHARE A ROOM WITH THE PRINCIPAL IF BOTH ARE RESIDENTS OF THE SAME FACILITY;

(12) ARRANGE THE FINAL DISPOSITION OF THE BODY OF THE DECEASED PRINCIPAL SUBJECT TO REASONABLE COSTS OF THE PREPARATION, CARE, AND DISPOSITION OF THE DECEDENT UNDER § 7-410 OF THE HEALTH OCCUPATIONS ARTICLE;

(13) HAVE AN INTEREST IN THE PROPERTY OF A BURIAL SITE UNDER § 14-121 OF THE REAL PROPERTY ARTICLE; OR

(14) MAKE AN ANATOMICAL GIFT OF THE DECEASED PRINCIPAL UNDER § 4-501 OF THIS ARTICLE.”.

On page 15, in line 6, strike “4.” and substitute “2.”.