

## Article - Estates and Trusts

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§13–906.

- (a) (1) A determination of incapacity or debilitation under this subtitle shall:
- (i) Be made by the attending physician to a reasonable degree of medical certainty;
  - (ii) Be in writing; and
  - (iii) Contain the attending physician's opinion regarding the cause and nature of the parent's incapacity or debilitation, and the extent and probable duration of the incapacity or debilitation.
- (2) If a standby guardian's identity is known to an attending physician, the attending physician shall provide a copy of a determination of incapacity or debilitation to the standby guardian.
- (b) If requested by a standby guardian, an attending physician shall make a determination regarding the parent's incapacity or debilitation for purposes of this subtitle.
- (c) If the parent is able to comprehend the information, a standby guardian shall inform the parent of:
- (1) The beginning of the standby guardian's authority as a result of a determination of incapacity; and
  - (2) The parent's right to revoke the authority promptly after receipt of the determination of incapacity.

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