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§5–607.

A health care provider may treat a patient who is incapable of making an informed decision, without consent, if:

- (1) The treatment is of an emergency medical nature;
- (2) A person who is authorized to give the consent is not available immediately; and
- (3) The attending physician determines that:
 - (i) There is a substantial risk of death or immediate and serious harm to the patient; and
 - (ii) With a reasonable degree of medical certainty, the life or health of the patient would be affected adversely by delaying treatment to obtain consent.

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