

BY repealing

Article - Health - General

Section 5-601 through 5-614, inclusive, and the subtitle "Subtitle 6. Life-Sustaining Procedures"; and 20-107

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

BY adding to

Article - Health - General

Section 5-601 through ~~5-614~~ ~~5-616~~ 5-617, inclusive, to be under the new subtitle "Subtitle 6. Health Care Decision Act"

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 13-601, 13-707(a), and ~~13-708(e)~~ 13-708(a) and (c)

Annotated Code of Maryland.

(1991 Replacement Volume and 1992 Supplement)

BY adding to

Article - Estates and Trusts

Section 13-711 through 13-713, inclusive, to be under the new part "Part III. Life-Sustaining Procedures"

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

Preamble

WHEREAS, The constitutional law of this nation recognizes an individual's right to personal health care decision making, complementing the common law doctrine of informed consent; and

WHEREAS, The people of Maryland have a constitutional liberty interest in making lawful health care decisions in accordance with their own values; and

WHEREAS, The State is constitutionally permitted to enact reasonable safeguards to assure that health care decisions made by others on behalf of an incapacitated patient are in keeping with the wishes of the patient or are in the best interest of the patient; and

WHEREAS, The balance struck by this Act reflects the preeminent societal value that the life of every individual has worth in and of itself and is not to be devalued by reason of an individual's incapacity or perceived diminished "quality of life", whether because of emotional, mental, or physical disability, or because of age or economic disadvantage; and