.08-1 Resident's Representative.

A. A comprehensive or extended care facility shall recognize the authority of:

1. A guardian of the person under Estates and Trusts Article, §13-705, Annotated Code of Maryland;
2. A guardian of the property under Estates and Trusts Article, §13-201, Annotated Code of Maryland;
3. An advanced directive that meets the requirements of Health-General Article, §5-602, Annotated Code of Maryland;
4. A surrogate decision maker with authority under Health-General Article, §5-605, Annotated Code of Maryland;
5. A power of attorney that meets the requirements of Estates and Trusts Article, §13-601, Annotated Code of Maryland;
6. A representative payee or other similar fiduciary; or
7. To the extent permitted by Maryland law, any other individual, if that individual was designated by a resident who was competent at the time of designation.

B. A facility shall require documentation or other appropriate verification of the authority of a resident's representative. A facility may not recognize the authority of a resident's representative if the representative attempts to exceed the authority:

1. Stated in the instrument that grants the representative authority; or
2. Established by State law.

C. A facility shall:

1. Document in the resident's record the name of the individual, if any, with authority identified in §A of this regulation; or
2. Include the documentation in the record.