

**Witnesses:** In any circumstance in which the Texas Advance Directives Act requires the execution of an advance directive to be witnessed:

- (a) each witness must be a competent adult; and
- (b) at least one of the witnesses must be a person who is

**not:**

1. a person designated by the declarant to make a treatment decision;
2. a person related to the declarant by blood or marriage;
3. a person entitled to any part of the declarant's estate after the declarant's death under a will or codicil (i.e., a supplement or appendix to a will) executed by the declarant or by operation of law;
4. the attending physician;
5. an employee of the attending physician;
6. an employee of UTMB if the employee is providing direct patient care to the declarant or is an officer, director, partner, or business office employee of UTMB or any parent organization of UTMB; or
7. a person who, at the time the written advance directive is executed or, if the directive is a non-written directive issued under the Advance Directives Act, at the time the non-written directive is issued, has a claim against any part of the declarant's estate after the declarant's death.