



Maryland  
Hospital Association

## **Senate Bill 625: Criminal Procedure – Medical Emergency - Immunity**

**Position: *Support***

### **Bill Summary**

SB 625 would alter a provision of law to specify that a person who is experiencing a medical emergency, rather than a person who reasonably believes that the person is experiencing a medical emergency, after ingesting or using alcohol or drugs is immune from criminal arrest, charge, or prosecution for a certain violation if the evidence for the arrest, charge, or prosecution was obtained solely as a result of the person seeking or receiving medical assistance; etc.

### **MHA Position**

Maryland's hospitals support efforts that enable well-intended emergency care to be provided without fear of criminal litigation. Hospitals remain a committed partner in support of measures to save lives after an overdose.

Maryland, like states across the country, is fighting a difficult battle against a growing opioid misuse crisis (overdose deaths in Maryland related to heroin, fentanyl and other opioids reached a new high in the first nine months of 2017, according the state health department).

While there are no quick fixes, SB 625 is a step in the right direction to save lives. By shielding from criminal charges anyone who seeks to provide aid to those experiencing a medical emergency, state law will work in concert with current hospital efforts to reduce deaths from opioid overdoses.

In response to the HOPE Act requirement, all of Maryland's hospitals have developed specific protocols for the emergency department discharge of patients treated for an overdose or identified as having a substance use disorder. One of the key components of the protocols is increased access to naloxone, a life-saving opioid inhibitor that can be administered by anyone, with minimal training.

This bill also supports one of the five key recommendations in the Maryland Hospital Association's *Roadmap to an Essential, Comprehensive System of Behavioral Health Care for Maryland*: "Create the infrastructure needed to provide immediate access to care for those experiencing a behavioral health crisis." By enabling a rapid response to an overdose emergency, critical care can be provided at the point of urgent need.

Maryland's hospitals encourage all members of our communities to save lives when possible by seeking medical attention for those in need; they should not fear criminal charges when doing so.

For these reasons, we urge you to give SB 625 a *favorable* report.