
By: **Delegates Bobo, Bozman, Glassman, Eckardt, Goldwater, Malone, Moe,
Morhaim, Parrott, Pitkin, and Stull**

Introduced and read first time: February 10, 2000

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 29, 2000

CHAPTER 152

1 AN ACT concerning

2 **Health Care Providers - Do Not Resuscitate Orders - Outpatients**

3 FOR the purpose of authorizing certain health care providers to withhold or withdraw
4 treatment in accordance with an emergency medical services "do not resuscitate
5 order" under certain circumstances; requiring certain persons to conduct certain
6 studies about emergency medical services "do not resuscitate orders"; requiring
7 the Attorney General to report to the General Assembly on or before a certain
8 date; and generally relating to health care providers and "do not resuscitate
9 orders".

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 5-608(a)
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Health - General**

18 5-608.

19 (a) (1) Certified or licensed emergency medical services personnel shall be
20 directed by protocol to follow emergency medical services "do not resuscitate orders"
21 pertaining to adult patients in the outpatient setting in accordance with protocols

1 established by the Maryland Institute for Emergency Medical Services Systems in
2 conjunction with the State Board of Physician Quality Assurance.

3 (2) Emergency medical services "do not resuscitate orders" may not
4 authorize the withholding of medical interventions, or therapies deemed necessary to
5 provide comfort care or to alleviate pain.

6 (3) A HEALTH CARE PROVIDER, OTHER THAN CERTIFIED OR LICENSED
7 EMERGENCY MEDICAL SERVICES PERSONNEL, MAY PROVIDE, WITHHOLD, OR
8 WITHDRAW TREATMENT IN ACCORDANCE WITH AN EMERGENCY MEDICAL SERVICES
9 "DO NOT RESUSCITATE ORDER" DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION
10 IF A HEALTH CARE PROVIDER SEES EITHER THE ORDER OR A VALID, LEGIBLE, AND
11 PATIENT IDENTIFYING EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE
12 ORDER" IN BRACELET FORM.

13 SECTION 2. AND BE IT FURTHER ENACTED, That:

14 The Attorney General, in consultation with the Maryland Institute for
15 Emergency Medical Services Systems, the Secretary of the Department of Health and
16 Mental Hygiene, the State Board of Physician Quality Assurance, and other
17 interested persons, shall study:

18 (1) whether the emergency medical services "do not resuscitate order"
19 form issued by the Maryland Institute for Emergency Medical Services Systems
20 should be simplified to facilitate its use;

21 (2) the circumstances, if any, under which an emergency medical services
22 "do not resuscitate order" should guide the actions of individuals who are not health
23 care providers but who are authorized to operate an automated external defibrillator;

24 (3) whether a program should be established for distribution of, and
25 education concerning, an order form that would apply not only to resuscitation and
26 alternatives to resuscitation by emergency medical services personnel but also to life
27 sustaining procedures more generally, in a manner comparable to a form used in
28 Oregon known as the Physician Orders for Life Sustaining Treatment (POLST); and

29 (4) if a program described in paragraph (3) of this section were
30 established, the most appropriate organization to operate it, its resource needs, and
31 the means by which its effectiveness might be evaluated.

32 SECTION 3. AND BE IT FURTHER ENACTED, That the Attorney General
33 shall report the findings of the study required by Section 2 of this Act to the Senate
34 Judicial Proceedings Committee and the House Environmental Matters Committee of
35 the General Assembly on or before December 31, 2001, in accordance with § 2-1246 of
36 the State Government Article.

37 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 October 1, 2000.

