HOUSE BILL 898

D3, J1 5lr2422

By: Delegates Bromwell, Anderson, Angel, Atterbeary, Cullison, Dumais, Hammen, Hayes, Kipke, Krebs, Miele, Moon, Morales, Morhaim, Oaks, Pendergrass, Reznik, Saab, West, and K. Young

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

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A BILL ENTITLED

1	AN ACT concerning
2 3	Civil Actions – Immunity From Liability – Emergency Medical Care for Drug Overdose
4 5 6 7 8 9	FOR the purpose of providing immunity from civil liability for a certain person administering medications or treatment in response to an apparent drug overdose if the person is trained and certified under certain protocols established by the Secretary of Health and Mental Hygiene; extending immunity under this Act to a corporation under certain circumstances; providing for the application of this Act; and generally relating to civil liability for acts or omissions in giving emergency medical care.
11 12 13 14 15	BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 5–603 Annotated Code of Maryland (2013 Replacement Volume and 2014 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 18	That the Laws of Maryland read as follows: Article – Courts and Judicial Proceedings
19	5-603.

A person described in subsection (b) of this section is not civilly liable for any

The act or omission is not one of gross negligence;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(1)

act or omission in giving any assistance or medical care, if:

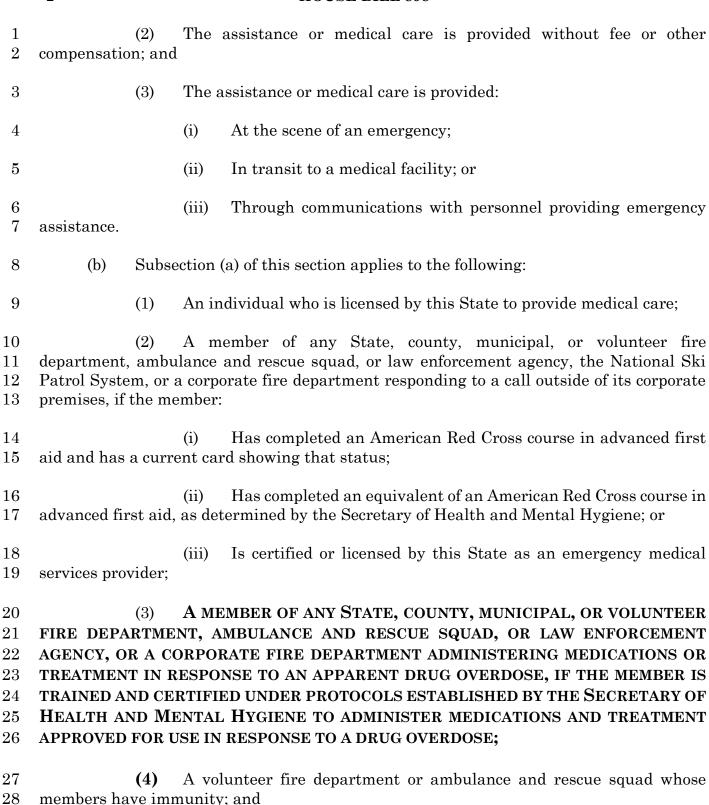


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[(4)] **(5)**

under paragraph (2) OR PARAGRAPH (3) of this subsection.



A corporation when its fire department personnel are immune

- 1 (c) An individual who is not covered otherwise by this section is not civilly liable 2 for any act or omission in providing assistance or medical aid to a victim at the scene of an 3 emergency, if:
- 4 (1) The assistance or aid is provided in a reasonably prudent manner;
- 5 (2) The assistance or aid is provided without fee or other compensation; 6 and
- 7 (3) The individual relinquishes care of the victim when someone who is 8 licensed or certified by this State to provide medical care or services becomes available to 9 take responsibility.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.