

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 838
Judiciary

(Delegate Waldstreicher, *et al.*)

Civil Immunity - Emergency Care for Drug Overdose - Protocols

This bill establishes that specified emergency medical personnel are immune from civil liability for any act or omission when administering approved medications or treatment in response to an apparent drug overdose if the person is acting in accordance with the protocols established for the member's license or certification.

Fiscal Summary

State Effect: The bill's changes do not have a material impact on State finances or operations.

Local Effect: The bill's changes do not have a material impact on local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: A member of any State, county, municipal, or volunteer fire department; ambulance and rescue squad; law enforcement agency; National Ski Patrol System; or corporate fire department responding to a call outside of its corporate premises is immune from civil liability for any negligent act or omission not amounting to gross negligence in giving any assistance or medical care. This applies if the member is administering medications or treatment approved for use in response to an apparent drug overdose and the member is (1) licensed or certified as an emergency medical services provider by the State and authorized to administer medications and treatment under State Emergency Medical Services Board protocols; (2) certified to administer medications and treatment

under protocols established by the Secretary of Health and Mental Hygiene; or (3) certified to administer medications and treatment under protocols established by the Maryland State Police Medical Director.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems, Judiciary (Administrative Office of the Courts), Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2016
kb/kdm

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