

HOUSE BILL 856

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9r1476
CF 9r3148

By: **Delegates K. Young, Acevero, Carr, Hettleman, Jalisi, Lehman, Moon, Palakovich Carr, Solomon, and Stewart**

Introduced and read first time: February 8, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Facilities – Hospitals and Related Institutions – Discrimination**
3 **Protections**

4 FOR the purpose of altering the actions with regard to which hospitals and related
5 institutions are prohibited from discriminating against individuals on certain bases;
6 altering the characteristics of an individual on the basis of which hospitals and
7 related institutions are prohibited from discriminating against the individual in
8 certain actions; prohibiting hospitals and related institutions from discriminating
9 with regard to certain actions against an individual because of the treatment or
10 procedure sought by the individual under certain circumstances; and generally
11 relating to discrimination protections regarding actions by hospitals and related
12 institutions.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 19–355
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

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

20 **Article – Health – General**

21 19–355.

22 (a) A hospital or related institution may not discriminate in **ADMITTING OR**
23 providing [personal] care for an individual because of [the]:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) THE INDIVIDUAL’S race, SEX, SEXUAL ORIENTATION, GENDER**
2 **IDENTITY, RELIGION OR CREED, CITIZENSHIP, AGE, PHYSICAL OR MENTAL**
3 **DISABILITY, VETERAN STATUS, GENETIC INFORMATION, color, or national origin [of the**
4 **individual] OR ANCESTRY; OR**

5 **(2) THE TREATMENT OR PROCEDURE SOUGHT BY THE INDIVIDUAL, IF**
6 **THE TREATMENT OR PROCEDURE IS:**

7 **(i) 1. CAPABLE OF BEING EXECUTED BY THE HOSPITAL OR**
8 **RELATED INSTITUTION; AND**

9 **2. ACCOMPANIED BY A REFERRAL SUBJECT TO TITLE 1**
10 **OF THE HEALTH OCCUPATIONS ARTICLE; OR**

11 **(ii) OTHERWISE DETERMINED TO BE MEDICALLY NECESSARY.**

12 (b) The Commission on Civil Rights shall enforce this section as provided in Title
13 20 of the State Government Article.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2019.