By: Delegates K. Young, Bagnall, Carr, Feldmark, Guyton, Kaiser, Kerr, R. Lewis, Love, Moon, Palakovich Carr, Shetty, Stewart, Terrasa, and Wilkins

Introduced and read first time: January 20, 2020
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Health Care Facilities – Hospitals and Related Institutions – Discrimination Protections

FOR the purpose of altering the actions with regard to which hospitals and related institutions are prohibited from discriminating against individuals on certain grounds; altering the characteristics of an individual on the basis of which hospitals and related institutions are prohibited from discriminating against the individual in certain actions; prohibiting, under certain circumstances, hospitals and related institutions from discriminating with regard to certain actions against an individual because of the treatment or procedure sought by the individual; and generally relating to discrimination protections regarding actions by hospitals and related institutions.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–355
Annotated Code of Maryland
(2019 Replacement Volume)

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

Article – Health – General

19–355.

(a) A hospital or related institution may not discriminate in ADMITTING OR 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) The individual’s race, sex, sexual orientation, gender identity, religion or creed, citizenship, age, physical or mental disability, genetic information, color, or national origin [of the individual] or ancestry; or

(2) The treatment or procedure sought by the individual, if the treatment or procedure is:

   (i) 1. Capable of being executed by the hospital or related institution; and

   2. Accompanied by a referral subject to Title 1 of the Health Occupations Article; or

   (ii) Otherwise determined to be medically necessary.

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.