

SENATE BILL 78

E4

1lr0339

(PRE-FILED)

By: **Senator Waldstreicher**

Requested: September 1, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Law Enforcement and Emergency Medical Services Providers –**
3 **Administration of Ketamine**

4 FOR the purpose of prohibiting a law enforcement officer from administering ketamine to
5 an individual or directing an emergency medical services provider to administer
6 ketamine; authorizing an emergency medical services provider to administer
7 ketamine to a certain individual under certain circumstances; defining certain
8 terms; and generally relating to law enforcement, emergency medical service
9 providers, and ketamine.

10 BY adding to

11 Article – Public Safety

12 Section 3–523 and 7–404

13 Annotated Code of Maryland

14 (2018 Replacement Volume and 2020 Supplement)

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

17 **Article – Public Safety**

18 **3–523.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(2) “EMERGENCY MEDICAL SERVICES PROVIDER” HAS THE MEANING**
22 **STATED IN § 13–516 OF THE EDUCATION ARTICLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “KETAMINE” INCLUDES KETAMINE SALTS, ISOMERS, AND SALTS**
2 **OF ISOMERS.**

3 **(B) A LAW ENFORCEMENT OFFICER MAY NOT:**

4 **(1) ADMINISTER KETAMINE TO AN INDIVIDUAL; OR**

5 **(2) DIRECT AN EMERGENCY MEDICAL SERVICES PROVIDER TO**
6 **ADMINISTER KETAMINE TO AN INDIVIDUAL.**

7 **7-404.**

8 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
9 **INDICATED.**

10 **(2) “EMERGENCY MEDICAL SERVICES PROVIDER” HAS THE MEANING**
11 **STATED IN § 13-516 OF THE EDUCATION ARTICLE.**

12 **(3) “KETAMINE” INCLUDES KETAMINE SALTS, ISOMERS, AND SALTS**
13 **OF ISOMERS.**

14 **(4) (I) “MEDICAL DIRECTION” MEANS THE WRITTEN OR ORAL**
15 **INSTRUCTION BY A LICENSED PHYSICIAN TO PERFORM MEDICAL PROCEDURES OR**
16 **ADMINISTER MEDICATIONS OR INTRAVENOUS SOLUTIONS.**

17 **(II) “MEDICAL DIRECTION” INCLUDES THE ACTIVITIES OF A**
18 **LICENSED PHYSICIAN IN THE STATE SERVING AS A MEDICAL DIRECTOR FOR AN**
19 **AGENCY PROVIDING EMERGENCY MEDICAL SERVICES, INCLUDING QUALITY**
20 **ASSURANCE, PLANNING, AND EDUCATION.**

21 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
22 **AN EMERGENCY MEDICAL SERVICES PROVIDER MAY ADMINISTER KETAMINE TO A**
23 **SEVERELY AGITATED INDIVIDUAL WHO IS COMBATIVE AND VIOLENT AND WHO**
24 **REPRESENTS AN IMMEDIATE DANGER TO THE INDIVIDUAL OR OTHERS ONLY IF THE**
25 **EMERGENCY MEDICAL SERVICES PROVIDER OBTAINS MEDICAL DIRECTION PRIOR**
26 **TO ADMINISTERING KETAMINE TO THE INDIVIDUAL.**

27 **(2) AN EMERGENCY MEDICAL SERVICES PROVIDER MAY ADMINISTER**
28 **KETAMINE TO A SEVERELY AGITATED INDIVIDUAL WITHOUT OBTAINING MEDICAL**
29 **DIRECTION IF OBTAINING MEDICAL DIRECTION WOULD CAUSE AN IMMEDIATE AND**
30 **IMMINENT THREAT OF SERIOUS HARM TO THE INDIVIDUAL OR EMERGENCY**
31 **MEDICAL SERVICES PROVIDER.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2021.