

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 404
Judiciary

(Delegate Woods, *et al.*)

Judicial Proceedings

Public Safety - Wellness Checks - Requirements (Gabriel's Law)

This bill requires a law enforcement agency or a fire, rescue, or emergency medical services entity that receives a “qualified request” from an “interested party” for a wellness check of an individual to (1) conduct a wellness check of the individual without unreasonable delay, if the individual is located in the agency’s or entity’s jurisdiction or (2) submit a request to the relevant law enforcement agency or the relevant fire, rescue, or emergency medical services entity in the State or another state to conduct a wellness check without unreasonable delay, if the individual is not located in the agency’s or entity’s jurisdiction. A law enforcement agency or a fire, rescue, or emergency medical services entity that receives a qualified request must meet these requirements regardless of where the interested party making the qualified request is located.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances; however, the bill may have an operational impact on affected State law enforcement agencies.

Local Effect: The bill is not expected to materially affect local finances; however, the bill may have an operational impact on affected fire, rescue, or emergency medical services entities.

Small Business Effect: None.

Analysis

Bill Summary: “Interested party” means a health care practitioner, as specified, or another interested person who has sufficient information to inform a law enforcement agency or a

fire, rescue, or emergency medical services entity of another individual's health-related condition or circumstance that represents a life-threatening emergency. "Qualified request" means an oral or written request that includes credible information regarding a specific concern of a life-threatening condition. "Wellness check" means an in-person visit by a law enforcement officer or a firefighter, a rescue squad member, or emergency services personnel concerning the well-being of an individual.

Current Law: There is no requirement in statute for wellness checks by a law enforcement agency or a fire, rescue, or emergency medical services entity; however, most law enforcement agencies dispatch a law enforcement officer to conduct an in-person visit to a resident in response to a request from a friend or family member who is concerned for the safety or well-being of the resident.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 190 (Senator Muse) - Judicial Proceedings.

Information Source(s): Kent and Worcester counties; Maryland Association of Counties; towns of Bel Air and Leonardtown; Baltimore City Community College; University System of Maryland; Morgan State University; St. Mary's College of Maryland; Maryland Institute for Emergency Medical Services Systems; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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