



**Committee: Senate Finance Committee**

**Bill Number: Senate Bill 879**

**Title: Public Health – Maryland Infant Lifetime Care Trust Funded by HSCRC and  
Maryland Patient Safety Center Duties**

**Hearing Date: March 5, 2020**

**Position: Support**

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The Maryland Nurses Association (MNA) supports *Senate Bill 879 – Public Health – Maryland Infant Lifetime Care Trust Funded by HSCRC and Maryland Patient Safety Center Duties*. This bill would create a trust, supported by an assessment on hospital obstetric units, that would pay for medical and supportive care for individuals who suffer a neurological injury during birth.

After a traumatic event where an infant suffers a neurological injury during childbirth, families often turn to the courts to cover expenses relating to the newborn’s care. However, the current system does not consistently meet families’ needs and has destabilized the healthcare system. Currently, juries award a lump sum to a family for an infant’s future care following a neurological birth injury. This is difficult to estimate, and has resulted in awards that have been insufficient to cover future costs to others that have been so high, such as the recent verdict of over \$2 million against Johns Hopkins, that they have impacted the ability of providers to provide maternity care.

This bill would pay medical and supportive expenses from the trust as needed throughout the life of the injured individual, rather than trying to estimate the lifetime costs at the outset. We believe this will offer peace of mind to the families that their expenses related to the birth injury will always be covered. Hospitals will still be responsible for all other costs associated with litigation, such as non-economic damages, pain and suffering, lost earnings, and attorney’s fees. In addition, we strongly support the bill’s provision requiring that the trust devote \$1 million annually to address health disparities and improve maternal and fetal outcomes across Maryland.

We believe this bill is a way forward to ensure coverage for affected families while maintaining access to maternity care, and we ask for a favorable report. If we can provide any further information, please contact Robyn Elliott at [relliott@policypartners.net](mailto:relliott@policypartners.net) or (443) 926-3443.