

To: Members of the House Judiciary Proceedings Committee

From: Richard A. Montgomery III
Director of Legislative & Governmental Relations

Date: February 3, 2021

Subject: **House Bill 25 - Catastrophic Health Emergencies – Health Care Providers – Definition and Immunity (Maryland Health Care Heroes Protection Act)**

Position: **Oppose**

The Maryland State Bar Association (MSBA) opposes **House Bill 25 – Catastrophic Health Emergencies – Health Care Providers – Definition and Immunity (Maryland Health Care Heroes Protection Act)**. House Bill 25 would provide immunity from civil liability for a COVID–19 claim to a person who acts in compliance with certain statutes, rules, regulations, executive orders, and agency orders, unless the person acted with gross negligence or intentional wrongdoing. Further, the bill would provide that certain deviations from certain statutes, rules, regulations, executive orders, and agency orders does not deny a person civil immunity provided under the Act.

While the MSBA believe that this measure is well-intended, we believe that the immunity provisions contained in the bill are overly broad and would serve to preemptively deny injured individuals potential redress though the legal system. Further, we find that the retroactive application of this measure would strip injured individuals of rights that they currently possess is seeking justice.

Accordingly, the MSBA opposes House Bill 25 and urges an Unfavorable Committee Report. Should you have any questions, please contact MSBA Legislative Director, Richard Montgomery at (410) 269-6464 or at richard@msba.org