



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 16, 2024

The Honorable Luke Clippinger
Chair, Senate Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401-1991

The Honorable Joseline Peña-Melnyk
Chair, House Health and Government
Operations Committee
Room 240 House Office Building
Annapolis, MD 21401-1991

RE: House Bill 403 - The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act - Support with Amendments

Dear Chair Clippinger and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of support with amendments for House Bill (HB) 403– *The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act*. The bill would establish a process for an individual suffering from a terminal illness to request aid in dying with protections to ensure that the individual has the capacity to make the decision. The bill also requires the Department to establish regulations regarding the collection of data around the option and to publish an annual statistical report surrounding the process.

The Department supports this important legislation. In recent years, more states have adopted this option in recognition of individuals’ right to bodily autonomy. The legislation, as noted above, contains numerous protections to ensure that individuals suffering from a terminal illness electing an end of life option have the capacity to make the decision.

Though the fiscal note for the bill notes a cost, the Department plans to submit a revised estimate and believes implementation can occur within existing resources.

The Department will submit one proposed amendment to ensure that the definition of palliative care aligns with the federal definition.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron at sarah.case-herron@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary

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