



Board of Nursing

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

February 1, 2024

The Honorable Joseline Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241
House Office Building
Annapolis, MD 21401

RE: HB0084 – Hospitals and Urgent Care Centers - Sepsis Protocol (Lochlin's Law) - Letter of Information

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of information for House Bill (HB) 84 – Hospitals and Urgent Care Centers - Sepsis Protocol (Lochlin's Law). This bill requires, on or before January 1, 2025, each hospital and urgent care center in the State to implement an evidence-based protocol for the early recognition and treatment of a patient with sepsis, severe sepsis, or septic shock that is based on generally acceptable standards of care; and requires hospitals and urgent care centers to require periodic training in the implementation of the protocol for staff with direct patient care responsibilities, and, as appropriate, for certain staff with indirect patient care responsibilities.

Although the Board believes in protocols for sepsis prevention, evaluation, and treatment, this bill may be redundant of existing federal guidelines relating to infection control. In order to receive Medicaid/Medicare reimbursement, hospitals must adhere to requirements outlined in 42 C.F.R. § 482.42. Hospitals must have active hospital-wide programs for the surveillance, prevention, and control of hospital acquired infections and other infectious diseases, and for the optimization of antibiotic use through stewardship.¹

In addition, due to the variety of hospitals and urgent care centers, developing a standard protocol could prove challenging. In the case of urgent care centers, it may be necessary to develop more structure to absorb new practices related to sepsis prevention and control. Further, it may be difficult for providers to adopt a standardized new approach on top of their already extensive training.

I hope this information is useful. For more information, please contact Ms. Mitzi Fishman, Director of Legislative Affairs, at mitzi.fishman@maryland.gov or Ms. Rhonda Scott, Executive Director, at rhonda.scott2@maryland.gov, or call (410) 585 – 2049.

¹ <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-G/part-482/subpart-C/section-482.42>

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Hicks', written in a cursive style.

Gary N. Hicks
Board President

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.