



## DEPARTMENT OF HEALTH

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

January 29, 2025

The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Senate (SB) Bill 356 – Public Health - Repeal of Prohibition on Transfer of Human Immunodeficiency Virus (Carlton R. Smith Act) – Letter of Support**

Dear Chair Smith and Committee Members:

The Maryland Department of Health (Department) respectfully submits this Letter of Support for Senate Bill 356– Public Health - Repeal of Prohibition on Transfer of Human Immunodeficiency Virus (Carlton R. Smith Act). This bill would repeal the existing provision under Maryland law that criminalizes certain actions involving the transfer of the Human Immunodeficiency Virus (HIV). The bill reflects a shift in public health policy, emphasizing science-based approaches to HIV prevention and treatment rather than punitive measures, which have historically perpetuated stigma and deterred individuals from seeking care and testing.

The Department recognizes that the current statute disproportionately impacts marginalized communities and does not align with the evidence-based strategies that prioritize education, prevention, and treatment to address HIV transmission effectively. Medical advancements, such as pre-exposure prophylaxis (PrEP) and antiretroviral therapy (ART), have significantly reduced transmission risks, underscoring the need for laws that reflect the current understanding of HIV prevention and management.

The Department supports SB 356 as part of ongoing efforts to reduce HIV stigma, advance health equity, and align Maryland’s public health policies with current best practices in HIV prevention and care. These changes will enable Maryland to better support individuals living with HIV while addressing systemic barriers to effective public health interventions.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at [sarah.case-herron@maryland.gov](mailto:sarah.case-herron@maryland.gov).

Sincerely,

Laura Herrera Scott, MD, MPH  
Secretary