

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 660 (Senator Hollinger)

Judicial Proceedings

Refusal of Medical Treatment by Minors

This bill limits the authority of a minor to refuse medical treatment when the refusal may result in death or long-term impairment of the minor, unless the attending physician and another physician certify that the minor is capable of making an informed decision. If a minor lacks the capacity to refuse medical treatment, consent for the treatment may be given by a health care agent, surrogate decision maker authorized to make health care decisions under the Health Care Decisions Act, or a guardian appointed by a court. Under these circumstances, the bill requires a court, upon petition by any person interested in the welfare of the minor, to appoint a guardian for the minor for the limited purpose of consenting to treatment of a medical condition if the court determines that treatment is in the best interest of the minor.

Fiscal Summary

State Effect: Minimal. The bill's requirements could be handled with existing budgeted resources.

Local Effect: Minimal.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: The number of publicly-funded medical treatments could increase to the extent that a minor who otherwise would have refused treatment is treated as a result of the bill's requirements. Any such impact is assumed to be minimal.

Local Expenditures: The number of circuit court hearings could increase to the extent that a minor who refuses necessary medical care is judged not have the capacity to make an

informed decision. Any such impact is assumed to be minimal.

Information Source(s): Department of Health and Mental Hygiene (Mental Hygiene Administration, Medical Care Policy Administration, Community and Public Health Administration), Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 13, 1998

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