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By: **Delegates Bobo, Bozman, Glassman, Eckardt, Goldwater, Malone, Moe,  
Morhaim, Parrott, Pitkin, and Stull**

Introduced and read first time: February 10, 2000

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Providers - Do Not Resuscitate Orders - Outpatients**

3 FOR the purpose of authorizing certain health care providers to withhold or withdraw  
4 treatment in accordance with an emergency medical services "do not resuscitate  
5 order" under certain circumstances; requiring certain persons to conduct certain  
6 studies about emergency medical services "do not resuscitate orders"; requiring  
7 the Attorney General to report to the General Assembly on or before a certain  
8 date; and generally relating to health care providers and "do not resuscitate  
9 orders".

10 BY repealing and reenacting, with amendments,  
11 Article - Health - General  
12 Section 5-608(a)  
13 Annotated Code of Maryland  
14 (1994 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Health - General**

18 5-608.

19 (a) (1) Certified or licensed emergency medical services personnel shall be  
20 directed by protocol to follow emergency medical services "do not resuscitate orders"  
21 pertaining to adult patients in the outpatient setting in accordance with protocols  
22 established by the Maryland Institute for Emergency Medical Services Systems in  
23 conjunction with the State Board of Physician Quality Assurance.

24 (2) Emergency medical services "do not resuscitate orders" may not  
25 authorize the withholding of medical interventions, or therapies deemed necessary to  
26 provide comfort care or to alleviate pain.

1           (3)     A HEALTH CARE PROVIDER, OTHER THAN CERTIFIED OR LICENSED  
2 EMERGENCY MEDICAL SERVICES PERSONNEL, MAY PROVIDE, WITHHOLD, OR  
3 WITHDRAW TREATMENT IN ACCORDANCE WITH AN EMERGENCY MEDICAL SERVICES  
4 "DO NOT RESUSCITATE ORDER" DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION  
5 IF A HEALTH CARE PROVIDER SEES EITHER THE ORDER OR A VALID, LEGIBLE, AND  
6 PATIENT IDENTIFYING EMERGENCY MEDICAL SERVICES "DO NOT RESUSCITATE  
7 ORDER" IN BRACELET FORM.

8     SECTION 2. AND BE IT FURTHER ENACTED, That:

9     The Attorney General, in consultation with the Maryland Institute for  
10 Emergency Medical Services Systems, the Secretary of the Department of Health and  
11 Mental Hygiene, the State Board of Physician Quality Assurance, and other  
12 interested persons, shall study:

13           (1)     whether the emergency medical services "do not resuscitate order"  
14 form issued by the Maryland Institute for Emergency Medical Services Systems  
15 should be simplified to facilitate its use;

16           (2)     the circumstances, if any, under which an emergency medical services  
17 "do not resuscitate order" should guide the actions of individuals who are not health  
18 care providers but who are authorized to operate an automated external defibrillator;

19           (3)     whether a program should be established for distribution of, and  
20 education concerning, an order form that would apply not only to resuscitation and  
21 alternatives to resuscitation by emergency medical services personnel but also to life  
22 sustaining procedures more generally, in a manner comparable to a form used in  
23 Oregon known as the Physician Orders for Life Sustaining Treatment (POLST); and

24           (4)     if a program described in paragraph (3) of this section were  
25 established, the most appropriate organization to operate it, its resource needs, and  
26 the means by which its effectiveness might be evaluated.

27     SECTION 3. AND BE IT FURTHER ENACTED, That the Attorney General  
28 shall report the findings of the study required by Section 2 of this Act to the Senate  
29 Judicial Proceedings Committee and the House Environmental Matters Committee of  
30 the General Assembly on or before December 31, 2001, in accordance with § 2-1246 of  
31 the State Government Article.

32     SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2000.