
By: **Delegates Cole, Montague, and Grosfeld**
Introduced and read first time: February 11, 2000
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Assisted Suicide - Prohibition**

3 FOR the purpose of altering the assisted suicide provisions so as to prohibit an adult
4 from intentionally assisting another person's suicide; defining a certain term;
5 and generally relating to assisted suicide.

6 BY repealing and reenacting, with amendments,
7 Article 27 - Crimes and Punishments
8 Section 416
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1999 Supplement)

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

13 **Article 27 - Crimes and Punishments**

14 416.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) "ADULT" MEANS A PERSON WHO IS AT LEAST 18 YEARS OF AGE.

17 (3) "Licensed health care professional" means a duly licensed physician,
18 surgeon, podiatrist, osteopath, osteopathic physician, osteopathic surgeon, physician
19 assistant, registered nurse, licensed practical nurse, nurse practitioner, dentist, or
20 pharmacist.

21 [(3)] (4) "Suicide" means the act or instance of intentionally taking one's
22 own life.

23 (b) An [individual] ADULT may not, [with the purpose of assisting]
24 INTENTIONALLY ASSIST another person to commit [or to attempt to commit] suicide
25 BY:

1 (1) [Knowingly cause, by coercion, duress, or deception, another person
2 to commit suicide or to attempt to commit suicide;

3 (2)] Knowingly [provide] PROVIDING the physical means by which
4 another person commits or attempts to commit suicide with knowledge of the person's
5 intent to use the physical means to commit suicide; or

6 [(3)] (2) Knowingly [participate] PARTICIPATING in a physical act by
7 which another person commits or attempts to commit suicide.

8 (c) (1) A licensed health care professional who administers, prescribes, or
9 dispenses medications or procedures to relieve pain, even if the medication or
10 procedure may hasten or increase the risk of death, is not in violation of subsection (b)
11 of this section unless the medications or procedures are knowingly administered,
12 prescribed, or dispensed to cause death.

13 (2) A family member who is a care giver for a patient enrolled in a
14 licensed hospice program and who under the supervision of a health care professional
15 administers or dispenses medications or procedures to relieve pain, even if the
16 medication or procedure may hasten or increase the risk of death, is not in violation of
17 subsection (b) of this section unless the medications or procedures are knowingly
18 administered or dispensed to cause death.

19 (3) A licensed health care professional who withholds or withdraws a
20 medically administered life sustaining procedure in compliance with the Health Care
21 Decisions Act under Title 5, Subtitle 6 of the Health - General Article or in accordance
22 with reasonable medical practice is not in violation of subsection (b) of this section.

23 (d) An individual who violates this section is guilty of a felony and on
24 conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 1
25 year or both.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2000.