
By: **Senators Hollinger, Hoffman, Forehand, Lawlah, Conway, Kelley, and Ruben**

Introduced and read first time: February 4, 2000
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maternal Mortality Review Program**

3 FOR the purpose of establishing a Maternal Mortality Review Program to review
4 certain maternal deaths and develop certain strategies for the prevention of
5 certain maternal deaths; authorizing the Secretary of Health and Mental
6 Hygiene to contract and consult with the Medical and Chirurgical Faculty;
7 authorizing the Secretary to provide certain vital records regarding certain
8 maternal deaths; requiring certain health care providers and facilities to report
9 certain maternal deaths to the Maternal Mortality Review Program; requiring
10 that certain records be kept confidential; requiring the Secretary to make
11 certain reports to the Governor and the General Assembly; defining certain
12 terms; declaring the findings of the General Assembly; and generally relating to
13 the Maternal Mortality Review Program.

14 BY adding to
15 Article - Health - General
16 Section 13-1001 through 13-1007, inclusive, to be under the new subtitle
17 "Subtitle 10. Maternal Mortality Review Program"
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1999 Supplement)

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

22 **Article - Health - General**

23 **SUBTITLE 10. MATERNAL MORTALITY REVIEW PROGRAM.**

24 13-1001.

25 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
26 INDICATED.

1 (B) "MATERNAL DEATH" MEANS THE DEATH OF A WOMAN DURING
2 PREGNANCY OR WITHIN 1 YEAR AFTER THE WOMAN CEASES TO BE PREGNANT.

3 (C) "FACULTY" MEANS THE MEDICAL AND CHIRURGICAL FACULTY IN THE
4 STATE.

5 (D) "MATERNAL CHILD HEALTH COMMITTEE" MEANS THE MATERNAL CHILD
6 HEALTH COMMITTEE OF THE FACULTY THAT IS A MEDICAL REVIEW COMMITTEE, AS
7 DEFINED UNDER § 14-501 OF THE HEALTH OCCUPATIONS ARTICLE.

8 13-1002.

9 THE GENERAL ASSEMBLY FINDS THAT:

10 (1) MATERNAL DEATHS ARE A SERIOUS PUBLIC HEALTH CONCERN AND
11 HAVE A TREMENDOUS FAMILY AND SOCIETAL IMPACT;

12 (2) MATERNAL DEATHS ARE SIGNIFICANTLY UNDERESTIMATED AND
13 INADEQUATELY DOCUMENTED, PREVENTING EFFORTS TO IDENTIFY AND REDUCE
14 OR ELIMINATE THE CAUSES OF DEATH;

15 (3) NO PROCESSES EXIST IN THE STATE FOR THE CONFIDENTIAL
16 IDENTIFICATION, INVESTIGATION, OR DISSEMINATION OF FINDINGS REGARDING
17 MATERNAL DEATHS; AND

18 (4) THERE IS A NEED TO ESTABLISH A MATERNAL MORTALITY REVIEW
19 PROGRAM TO REVIEW MATERNAL DEATHS AND TO DEVELOP STRATEGIES FOR THE
20 PREVENTION OF MATERNAL DEATHS.

21 13-1003.

22 THE SECRETARY SHALL ESTABLISH A MATERNAL MORTALITY REVIEW
23 PROGRAM TO REVIEW MATERNAL DEATHS AND TO DEVELOP STRATEGIES FOR THE
24 PREVENTION OF MATERNAL DEATHS.

25 13-1004.

26 (A) THE SECRETARY MAY CONTRACT WITH THE FACULTY TO ADMINISTER
27 THE MATERNAL MORTALITY REVIEW PROGRAM.

28 (B) IN CONSULTATION WITH THE MATERNAL CHILD HEALTH COMMITTEE OF
29 A FACULTY, THE SECRETARY SHALL DEVELOP A SYSTEM TO:

30 (1) IDENTIFY MATERNAL DEATH CASES;

31 (2) REVIEW MEDICAL RECORDS AND OTHER RELEVANT DATA;

32 (3) CONTACT FAMILY MEMBERS AND OTHER AFFECTED OR INVOLVED
33 PERSONS TO COLLECT ADDITIONAL RELEVANT DATA;

1 (4) CONSULT WITH RELEVANT EXPERTS TO EVALUATE THE RECORDS
2 AND DATA COLLECTED;

3 (5) MAKE DETERMINATIONS REGARDING THE PREVENTABILITY OF
4 MATERNAL DEATHS;

5 (6) DEVELOP RECOMMENDATIONS FOR THE PREVENTION OF MATERNAL
6 DEATHS; AND

7 (7) DISSEMINATE FINDINGS AND RECOMMENDATIONS TO POLICY
8 MAKERS, HEALTH CARE PROVIDERS, HEALTH CARE FACILITIES, AND THE GENERAL
9 PUBLIC.

10 (C) IN ACCORDANCE WITH § 4-221 OF THIS ARTICLE AND NOTWITHSTANDING
11 § 4-224 OF THIS ARTICLE, THE SECRETARY MAY PROVIDE THE PROGRAM WITH A
12 COPY OF THE DEATH CERTIFICATE OF ANY WOMAN WHOSE DEATH IS SUSPECTED TO
13 HAVE BEEN A MATERNAL DEATH.

14 13-1005.

15 (A) A HEALTH CARE PROVIDER OR HEALTH CARE FACILITY, AS DEFINED
16 UNDER TITLE 19, SUBTITLES 3, 3A, AND 3B OF THIS ARTICLE, SHALL PROVIDE THE
17 MATERNAL MORTALITY REVIEW PROGRAM ACCESS TO ALL MEDICAL RECORDS
18 ASSOCIATED WITH A CASE UNDER REVIEW BY THE MATERNAL MORTALITY REVIEW
19 PROGRAM.

20 (B) THE PROVISIONS OF TITLE 4, SUBTITLE 3 OF THIS ARTICLE DO NOT APPLY
21 TO A DISCLOSURE MADE TO THE PROGRAM UNDER THIS SUBTITLE.

22 13-1006.

23 (A) NOTWITHSTANDING THE PROVISIONS OF TITLE 4, SUBTITLE 3 OF THIS
24 ARTICLE, IF A PATIENT OF A HEALTH CARE PROVIDER OR A HEALTH CARE FACILITY
25 DIES OF A MATERNAL DEATH AND THE HEALTH CARE PROVIDER OR THE HEALTH
26 CARE FACILITY HAS KNOWLEDGE OF THE CIRCUMSTANCES OF THE DEATH, THE
27 HEALTH CARE PROVIDER OR THE HEALTH CARE FACILITY SHALL REPORT THE
28 DEATH TO THE MATERNAL MORTALITY REVIEW PROGRAM.

29 (B) ANY HEALTH CARE PROVIDER AND HEALTH CARE FACILITY REPORT
30 REQUIRED UNDER THIS SECTION SHALL BE:

31 (1) CONFIDENTIAL;

32 (2) NOT OPEN TO PUBLIC INSPECTION; AND

33 (3) EXCEPT UNDER A COURT ORDER SEALING THE COURT RECORD, NOT
34 SUBJECT TO SUBPOENA OR DISCOVERY IN ANY CRIMINAL OR CIVIL PROCEEDING.

1 13-1007.

2 ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE SECRETARY SHALL SUBMIT A
3 REPORT ON FINDINGS, RECOMMENDATIONS, AND PROGRAM ACTIONS TO THE
4 GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE
5 GENERAL ASSEMBLY.

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