

**Department of Legislative Services**  
Maryland General Assembly  
2000 Session

**FISCAL NOTE**

House Bill 154 (Chairman, Judiciary Committee)  
(Departmental - Md. Inst. for Emer. Medical Serv. Svs.)  
Judiciary

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**Assisted Suicide - Definition of "Licenced Health Care Professional"**

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This emergency departmental bill adds emergency medical service (EMS) providers to the list of medical professionals excluded from criminal liability under the assisted suicide statute. This bill will be retroactively applied to affect all potential criminal liability of emergency medical service providers arising from an incident occurring on or after October 1, 1999.

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**Fiscal Summary**

**State Effect:** The bill would not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** The Maryland Institute for Emergency Medical Service Systems has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** An individual may not, with the purpose of assisting another person, knowingly cause, or provide the means by which another person commits or attempts to commit suicide. A licenced health care professional, as defined in statute, who withholds or withdraws a medically administered life-sustaining procedure in compliance with the Health Care Decisions Act or in accordance with reasonable medical practice is not in violation of the law. A licensed health care professional is defined as a duly licensed physician, surgeon,

podiatrist, osteopath, osteopathic physician, osteopathic surgeon, physician assistant, registered nurse, licensed practical nurse, nurse practitioner, dentist, or pharmacist.

**Background:** Chapter 700 of 1999 (HB 496) prohibits assisted suicide, but does not include emergency medical service (EMS) personnel in the definition of a 'health care professional.' The definition in Chapter 700 lists those medical professionals exempted from criminal liability if a patient dies when medical care is administered in the normal course of treatment and generally applies to pain relief during end-of-life treatment.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Institute for Emergency Medical Service Systems, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2000  
mld/jr

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