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By: **Chairman, Judiciary Committee and Delegate Grosfeld**  
Introduced and read first time: January 18, 2002  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Assisted Suicide - Family Care Exemption - Scope**

3 FOR the purpose of clarifying that a family member does not violate the prohibition  
4 against assisted suicide if the family member is a care giver for a patient  
5 enrolled in a licensed hospice program and administers a procedure or  
6 administers or dispenses medication under the supervision of a licensed health  
7 care professional; and generally relating to the prohibition against assisted  
8 suicide.

9 BY repealing and reenacting, with amendments,  
10 Article - Criminal Law  
11 Section 3-103  
12 Annotated Code of Maryland  
13 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
14 2002)

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

17 **Article - Criminal Law**

18 3-103.

19 (a) A licensed health care professional does not violate § 3-102 of this subtitle  
20 by administering or prescribing a procedure or administering, prescribing, or  
21 dispensing a medication to relieve pain, even if the medication or procedure may  
22 hasten death or increase the risk of death, unless the licensed health care  
23 professional knowingly administers or prescribes the procedure or administers,  
24 prescribes, or dispenses the medication to cause death.

25 (b) A licensed health care professional does not violate § 3-102 of this subtitle  
26 by withholding or withdrawing a medically administered life-sustaining procedure:

27 (1) in compliance with Title 5, Subtitle 6 of the Health - General Article;  
28 or

1                   (2)       in accordance with reasonable medical practice.

2       (c)       (1)       Unless the family member knowingly administers a procedure or  
3 administers or dispenses a medication to cause death, a family member does not  
4 violate § 3-102 of this subtitle if the family member:

5                   (i)       is a care giver for a patient enrolled in a licensed hospice  
6 program; and

7                   (ii)       administers the procedure or administers or dispenses the  
8 medication to relieve pain under the supervision of a LICENSED health care  
9 professional.

10               (2)       Paragraph (1) of this subsection applies even if the medication or  
11 procedure hastens death or increases the risk of death.

12       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2002.