

HOUSE BILL 682

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By: **Delegate Morhaim**

Introduced and read first time: February 8, 2007

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2007

CHAPTER _____

1 AN ACT concerning

2 **Health Care Decisions Act – Emergency Medical Services “Do Not**
3 **Resuscitate Orders” – Health Care Providers**

4 FOR the purpose of authorizing certain health care providers to comply with an
5 emergency medical services “do not resuscitate order” under certain
6 circumstances; requiring certain health care providers to comply with an
7 emergency medical services “do not resuscitate order” under certain
8 circumstances; and generally relating to emergency medical services “do not
9 resuscitate orders”.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 5–608(a)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2006 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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 5-608.

2 (a) (1) Certified or licensed emergency medical services personnel shall be
3 directed by protocol to follow emergency medical services “do not resuscitate orders”
4 pertaining to adult patients in the outpatient setting in accordance with protocols
5 established by the Maryland Institute for Emergency Medical Services Systems in
6 conjunctions with the State Board of Physicians.

7 (2) Emergency medical services “do not resuscitate orders” may not
8 authorize the withholding of medical interventions, or therapies deemed necessary to
9 provide comfort care or to alleviate pain.

10 (3) A health care provider, other than certified or licensed emergency
11 medical services personnel, **WHO SEES, IN A VALID FORM, AN EMERGENCY**
12 **MEDICAL SERVICES “DO NOT RESUSCITATE ORDER” DESCRIBED IN PARAGRAPH**
13 **(1) OF THIS SUBSECTION THAT IS NOT SUPERSEDED BY A SUBSEQUENT**
14 **PHYSICIAN’S ORDER:**

15 (I) [may] **MAY, BEFORE A PATIENT’S CARDIAC OR**
16 **RESPIRATORY ARREST**, provide, withhold, or withdraw treatment in accordance with
17 [an emergency medical services “do not resuscitate order” described in paragraph (1)
18 of this subsection if a health care provider sees either the order or a valid, legible, and
19 patient identifying emergency medical services “do not resuscitate order” in bracelet
20 form] **THE EMERGENCY MEDICAL SERVICES “DO NOT RESUSCITATE ORDER”;**
21 **AND**

22 (II) **SHALL, AFTER A PATIENT’S CARDIAC OR RESPIRATORY**
23 **ARREST, WITHHOLD OR WITHDRAW TREATMENT IN ACCORDANCE WITH THE**
24 **EMERGENCY MEDICAL SERVICES “DO NOT RESUSCITATE ORDER”.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2007.