

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 289 (Delegate S. Robinson, *et al.*)
Health and Government Operations

Medical Schools - Use of Animals in Medical Training - Prohibited

This bill prohibits a medical school from using a live or dead animal in the medical education or training of students if there is an alternate method that (1) teaches the medical procedure without the use of an animal and (2) is used by at least one other medical school in the State. A person who violates this prohibition is guilty of a misdemeanor and on conviction is subject to a fine of up to \$1,000 for each animal used.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's penalty provision for those cases heard in the District Court. No effect on expenditures.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: There are three accredited medical schools in Maryland: (1) the University of Maryland School of Medicine (UM); (2) the Johns Hopkins University School of Medicine (JHU); and (3) the Uniformed Services University of the Health Sciences, F. Edward Hébert School of Medicine (USHS).

The federal Animal Welfare Act requires educational institutions that use live animals in research, tests, or experiments and receive funds from a government agency or department to appoint an Institutional Animal Care and Use Committee (IACUC) to review the

institution's animal program, facilities, and procedures. The Act also establishes additional requirements when using live animals to ensure humane treatment and care.

Title 10, Subtitle 6 of the Criminal Law Article prohibits specified acts relating to the cruelty to animals. However, the provisions do not apply to research conducted in accordance with protocols approved by an IACUC.

All three medical schools in the State have established their own IACUC; use of any animals in research or teaching requires IACUC approval. UM has established an Office of Animal Welfare, which sets policies and procedures for the use of animals in research and teaching; JHU and USHS also have animal care and use programs.

According to a 2014 *Baltimore Sun* article, JHU has been criticized for the use of live pigs for surgical training. The Physicians Committee for Responsible Medicine (PCRM) reported that JHU was one of four schools in the country that used animals in medical training and that other medical schools use cadavers and high-tech simulators instead. According to PCRM, USHS stopped using live pigs in medical training in 2013. Additionally, UM advises that it does not use animals in medical education or training. According to the article, UM opened a simulator center in 2006, and although JHU also provided simulators, it offered a surgical course that included use of anesthetized pigs. JHU confirms that the surgery core clerkship includes an optional surgical procedure on live pigs involving a total of 32 pigs annually.

Additional Comments: Criticism of JHU has centered around the use of live animals in surgical training. However, the bill prohibits the use of live *or dead* animals in “medical education or training” and does not define “medical education or training.”

Additional Information

Prior Introductions: HB 1248 of 2015 was referred to the House Rules and Executive Nominations Committee, but no further action was taken.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Health and Mental Hygiene; *Baltimore Sun*; Liaison Committee on Medical Education; Physicians Committee for Responsible Medicine; Johns Hopkins University School of Medicine; University of Maryland, Baltimore; Department of Legislative Services

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