

# HOUSE BILL 924

J1, D3

8lr3321  
CF 8lr3590

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By: **Delegates Folden, Atterbeary, Bromwell, Krimm, and Wilson**

Introduced and read first time: February 5, 2018

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Emergency Medical Care – Administration of Opioid Antidotes – Immunity**

3 FOR the purpose of applying certain immunity from civil liability for certain acts or  
4 omissions to certain persons who administer to individuals who appear to be  
5 experiencing an opioid overdose a certain dose or certain doses of a certain opioid  
6 antidote; and generally relating to emergency medical care and immunity from civil  
7 liability.

8 BY repealing and reenacting, with amendments,  
9 Article – Courts and Judicial Proceedings  
10 Section 5–603  
11 Annotated Code of Maryland  
12 (2013 Replacement Volume and 2017 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 5–603.

17 (a) A person described in subsection (b) of this section is not civilly liable for any  
18 act or omission in giving any assistance or medical care, if:

19 (1) The act or omission is not one of gross negligence;

20 (2) The assistance or medical care is provided without fee or other  
21 compensation; and

22 (3) The assistance or medical care is provided:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) At the scene of an emergency;
- 2 (ii) In transit to a medical facility; or
- 3 (iii) Through communications with personnel providing emergency  
4 assistance.

5 (b) Subsection (a) of this section applies to the following:

6 (1) An individual who is licensed by this State to provide medical care;

7 (2) A member of any State, county, municipal, or volunteer fire  
8 department, ambulance and rescue squad, or law enforcement agency, the National Ski  
9 Patrol System, or a corporate fire department responding to a call outside of its corporate  
10 premises, if the member:

11 (i) Has completed an American Red Cross course in advanced first  
12 aid and has a current card showing that status;

13 (ii) Has completed an equivalent of an American Red Cross course in  
14 advanced first aid, as determined by the Secretary of Health;

15 (iii) Is certified or licensed by this State as an emergency medical  
16 services provider; or

17 (iv) Is administering medications or treatment approved for use in  
18 response to an apparent drug overdose and the member is:

19 1. Licensed or certified as an emergency medical services  
20 provider by the State Emergency Medical Services Board and authorized to administer the  
21 medications and treatment under protocols established by the State Emergency Medical  
22 Services Board;

23 2. Certified to administer the medications and treatment  
24 under protocols established by the Secretary of Health; or

25 3. Certified to administer the medications and treatment  
26 under protocols established by the Maryland State Police Medical Director;

27 (3) A volunteer fire department or ambulance and rescue squad whose  
28 members have immunity; and

29 (4) A corporation when its fire department personnel are immune under  
30 item (2) of this subsection.

31 (c) An individual who is not covered otherwise by this section is not civilly liable  
32 for any act or omission in providing assistance or medical aid to a victim at the scene of an

1 emergency, if:

2 (1) The assistance or aid is provided in a reasonably prudent manner;

3 (2) The assistance or aid is provided without fee or other compensation;  
4 and

5 (3) The individual relinquishes care of the victim when someone who is  
6 licensed or certified by this State to provide medical care or services becomes available to  
7 take responsibility.

8 **(D) SUBSECTION (A) OF THIS SECTION SHALL APPLY TO A PERSON**  
9 **DESCRIBED UNDER SUBSECTION (B)(2)(IV) OF THIS SECTION WHO ADMINISTERS TO**  
10 **AN INDIVIDUAL WHO APPEARS TO BE EXPERIENCING AN OPIOID OVERDOSE:**

11 **(1) A SINGLE DOSE OF ANY OPIOID ANTIDOTE, REGARDLESS OF**  
12 **DOSAGE AMOUNT OR METHOD OF ADMINISTRATION, THAT HAS BEEN APPROVED BY**  
13 **THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR USE IN THE**  
14 **TREATMENT OF OPIOID OVERDOSES; AND**

15 **(2) ADDITIONAL DOSES OF THE OPIOID ANTIDOTE, REGARDLESS OF**  
16 **THE DOSAGE AMOUNT OR METHOD OF ADMINISTRATION, AS MAY BE NECESSARY TO**  
17 **REVIVE THE INDIVIDUAL.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2018.