

HB0404/973829/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 404
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Williams**” and substitute “**Williams, Cardin, Toles, Schmidt, Phillips, and Conaway**”; in line 2, strike “**Law Enforcement**” and substitute “**Public Safety**”; in lines 4 and 6, in each instance, after “agency” insert “or fire, rescue, or emergency medical services entity”; in line 5, strike “immediately”; in line 6, after “check” insert “without unreasonable delay”; in line 7, after “agencies” insert “, fire, rescue, or emergency medical services entities.”; and in line 10, after “3-531” insert “and 7-405”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“(2) “INTERESTED PARTY” MEANS A HEALTH CARE PRACTITIONER, AS DEFINED IN § 19-144(3) OF THE HEALTH – GENERAL ARTICLE, OR ANOTHER INTERESTED PERSON WHO HAS SUFFICIENT INFORMATION TO INFORM A LAW ENFORCEMENT AGENCY OF ANOTHER INDIVIDUAL’S HEALTH-RELATED CONDITION OR CIRCUMSTANCE THAT REPRESENTS A LIFE-THREATENING EMERGENCY.”;

in line 19, strike “**(2)**” and substitute “**(3)**”; in line 20, strike “**SUFFICIENT**” and substitute “**CREDIBLE**”; in line 21, strike “**LIFE-THREATENING**”; and in the same line, strike “**FOR IMMEDIATE ACTION OR RESPONSE**” and substitute “**OF A LIFE-THREATENING CONDITION**”.

On page 2, in line 1, strike “**(3)**” and substitute “**(4)**”; in lines 4 and 8, in each instance, after “**REQUEST**” insert “**FROM AN INTERESTED PARTY**”; in lines 6 and 10,

in each instance, strike “IMMEDIATELY”; in lines 6 and 12, in each instance, after “INDIVIDUAL” insert “WITHOUT UNREASONABLE DELAY”; in line 15, strike “INDIVIDUAL OR ENTITY” and substitute “INTERESTED PARTY”; and after line 16, insert:

“7-405.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “INTERESTED PARTY” MEANS A HEALTH CARE PRACTITIONER, AS DEFINED IN § 19-144(3) OF THE HEALTH – GENERAL ARTICLE, OR ANOTHER INTERESTED PERSON WHO HAS SUFFICIENT INFORMATION TO INFORM A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OF ANOTHER INDIVIDUAL’S HEALTH-RELATED CONDITION OR CIRCUMSTANCE THAT REPRESENTS A LIFE-THREATENING EMERGENCY.

(3) “QUALIFIED REQUEST” HAS THE MEANING STATED IN § 3-531 OF THIS ARTICLE.

(4) “WELLNESS CHECK” MEANS AN IN-PERSON VISIT BY A FIREFIGHTER, A RESCUE SQUAD MEMBER, OR EMERGENCY SERVICES PERSONNEL CONCERNING THE WELL-BEING OF AN INDIVIDUAL.

(B) (1) IF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL LOCATED IN THE FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY’S JURISDICTION, THE FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY SHALL CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

(2) IF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL WHO IS NOT LOCATED IN THE FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY'S JURISDICTION, THE FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY SHALL SUBMIT A REQUEST TO THE RELEVANT FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY IN THIS STATE OR ANOTHER STATE TO CONDUCT A WELLNESS CHECK ON THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

(C) A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY THAT RECEIVES A QUALIFIED REQUEST UNDER THIS SECTION SHALL MEET THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION REGARDLESS OF WHERE THE INTERESTED PARTY MAKING THE QUALIFIED REQUEST IS LOCATED.”.