

HOUSE BILL 404

E4

(4lr0718)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates Woods, Alston, Anderton, Bagnall, Boaf, Chang, Crutchfield, Cullison, Davis, Harris, Harrison, Healey, Henson, Ivey, Kaufman, Kerr, J. Long, McCaskill, Pasteur, Pena-Melnyk, Roberson, Roberts, Simpson, Taveras, Taylor, Turner, Valderrama, Wilkins, ~~and Williams~~ Williams, Cardin, Toles, Schmidt, Phillips, and Conaway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **~~Law Enforcement~~ Public Safety – Wellness Checks – Requirements**
3 **(Gabriel’s Law)**

4 FOR the purpose of requiring a law enforcement agency ~~or fire, rescue, or emergency~~
5 ~~medical services entity~~ that receives a certain request for a wellness check of an
6 individual to ~~immediately~~ conduct a wellness check or submit a request for the
7 relevant law enforcement agency ~~or fire, rescue, or emergency medical services entity~~
8 to conduct a wellness check without unreasonable delay; requiring a fire, rescue, or
9 emergency medical services entity to conduct the wellness check simultaneously with
10 the law enforcement agency if the request concerns a life-threatening condition; and

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.

Italics indicate opposite chamber/conference committee amendments.



generally relating to law enforcement agencies, fire, rescue, or emergency medical services entities, and wellness checks.

BY adding to

Article – Public Safety

Section 3–531 ~~and 7–405~~

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

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

Article – Public Safety

3–531.

(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 LAW ENFORCEMENT AGENCY OF ANOTHER INDIVIDUAL’S HEALTH-RELATED CONDITION OR CIRCUMSTANCE THAT REPRESENTS A ~~LIFE-THREATENING EMERGENCY~~ SAFETY CONCERN OF THE INDIVIDUAL.

~~(2) (3)~~ (3) “QUALIFIED REQUEST” MEANS AN ORAL OR WRITTEN REQUEST THAT INCLUDES SUFFICIENT CREDIBLE INFORMATION REGARDING A SPECIFIC SAFETY LIFE-THREATENING CONCERN FOR IMMEDIATE ACTION OR RESPONSE OF A LIFE-THREATENING CONDITION.

~~(3) (4)~~ (4) “WELLNESS CHECK” MEANS AN IN-PERSON VISIT BY A LAW ENFORCEMENT OFFICER CONCERNING THE WELL-BEING OF AN INDIVIDUAL.

(B) (1) ~~IF~~ SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE LAW ENFORCEMENT AGENCY SHALL ~~IMMEDIATELY~~ CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

(2) ~~IF~~ SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL WHO IS NOT LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE LAW ENFORCEMENT AGENCY

1 SHALL ~~IMMEDIATELY~~ SUBMIT A REQUEST TO THE RELEVANT LAW ENFORCEMENT
2 AGENCY IN THE STATE OR ANOTHER STATE TO CONDUCT A WELLNESS CHECK OF
3 THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

4 (C) IF THE INTERESTED PARTY STATES IN THE QUALIFIED REQUEST THAT
5 THERE IS A CONCERN FOR A LIFE-THREATENING CONDITION, THEN A FIRE, RESCUE,
6 OR EMERGENCY MEDICAL SERVICES ENTITY SHALL CONDUCT THE WELLNESS CHECK
7 SIMULTANEOUSLY WITH THE LAW ENFORCEMENT AGENCY.

8 ~~(C)~~ (D) A LAW ENFORCEMENT AGENCY AND, IF APPLICABLE, A FIRE,
9 RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY, THAT RECEIVES A QUALIFIED
10 REQUEST UNDER THIS SECTION SHALL MEET THE REQUIREMENTS OF SUBSECTION
11 ~~(B) OF THIS SECTION REGARDLESS OF WHERE THE INDIVIDUAL OR ENTITY~~
12 INTERESTED PARTY MAKING THE QUALIFIED REQUEST IS LOCATED.

13 ~~7-405.~~

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

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

22 ~~(3) "QUALIFIED REQUEST" HAS THE MEANING STATED IN § 3-531 OF~~
23 ~~THIS ARTICLE.~~

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

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

33 ~~(2) IF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY~~
34 ~~RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS~~
35 ~~CHECK OF AN INDIVIDUAL WHO IS NOT LOCATED IN THE FIRE, RESCUE, OR~~

1 ~~EMERGENCY MEDICAL SERVICES ENTITY'S JURISDICTION, THE FIRE, RESCUE, OR~~
 2 ~~EMERGENCY MEDICAL SERVICES ENTITY SHALL SUBMIT A REQUEST TO THE~~
 3 ~~RELEVANT FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY IN THIS~~
 4 ~~STATE OR ANOTHER STATE TO CONDUCT A WELLNESS CHECK ON THE INDIVIDUAL~~
 5 ~~WITHOUT UNREASONABLE DELAY.~~

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

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 11 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.