

HOUSE BILL 1468

J3, J1

6lr2235

By: **Delegates Ruff, Addison, Boyce, Conaway, Fennell, J. Long, Pasteur, Phillips, Simmons, Simpson, Smith, Spiegel, Stinnett, Terrasa, Wells, Wolek, Wu, and Young**

Introduced and read first time: February 13, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Patients in Active Labor – Safe Discharge Labor Plans**

3 FOR the purpose of requiring a hospital to prepare a safe discharge labor plan before
4 discharging or transferring a patient in active labor, subject to a certain exception;
5 requiring a hospital to maintain records of safe discharge labor plans for a certain
6 period of time; requiring each hospital to conspicuously post copies of a patient in
7 active labor’s rights; requiring a hospital to provide annual training to certain staff
8 members; and generally relating to safe discharge labor plans.

9 BY adding to

10 Article – Health – General

11 Section 19–342.1

12 Annotated Code of Maryland

13 (2023 Replacement Volume and 2025 Supplement)

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

16 **Article – Health – General**

17 **19–342.1.**

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

20 **(2) “PATIENT IN ACTIVE LABOR” MEANS A PREGNANT INDIVIDUAL**
21 **WHO PRESENTS AT A HOSPITAL WITH SIGNS OR SYMPTOMS OF LABOR, ACCORDING**
22 **TO GENERALLY ACCEPTED STANDARDS OF OBSTETRIC PRACTICE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “SAFE DISCHARGE LABOR PLAN” MEANS A WRITTEN PLAN THAT**
2 **MUST BE COMPLETED BEFORE A PATIENT IN ACTIVE LABOR MAY BE DISCHARGED**
3 **OR TRANSFERRED.**

4 **(B) THIS SECTION DOES NOT APPLY TO AN EMERGENCY TRANSFER OF A**
5 **PATIENT IN ACTIVE LABOR.**

6 **(C) A HOSPITAL MAY NOT DISCHARGE OR TRANSFER A PATIENT IN ACTIVE**
7 **LABOR UNLESS THE HOSPITAL AND THE PATIENT IN ACTIVE LABOR FIRST**
8 **COMPLETE A SAFE DISCHARGE LABOR PLAN.**

9 **(D) A SAFE DISCHARGE LABOR PLAN SHALL INCLUDE:**

10 **(1) THE CLINICAL JUSTIFICATION FOR THE DISCHARGE OR**
11 **TRANSFER OF THE PATIENT IN ACTIVE LABOR BASED ON THE MEDICAL ASSESSMENT**
12 **OF A HEALTH CARE PRACTITIONER LICENSED UNDER THE HEALTH OCCUPATIONS**
13 **ARTICLE WHO IS INVOLVED IN THE LABOR AND DELIVERY PROCESS;**

14 **(2) AN ASSESSMENT OF THE DISTANCE BETWEEN THE HOSPITAL AND**
15 **THE INTENDED DESTINATION OF THE PATIENT IN ACTIVE LABOR, INCLUDING AN**
16 **EVALUATION OF WHETHER THE TRAVEL IS SAFE CONSIDERING THE CONDITION OF**
17 **THE PATIENT IN ACTIVE LABOR;**

18 **(3) A WRITTEN, PLAIN-LANGUAGE ACKNOWLEDGEMENT, SIGNED BY**
19 **THE PATIENT IN ACTIVE LABOR, EXPLAINING:**

20 **(I) THE RISKS ASSOCIATED WITH BEING DISCHARGED;**

21 **(II) A LIST OF SIGNS OR SYMPTOMS INDICATING THAT THE**
22 **PATIENT IN ACTIVE LABOR SHOULD RETURN TO A HOSPITAL; AND**

23 **(III) CONTACT INFORMATION FOR THE HOSPITAL OR AN**
24 **ALTERNATIVE FACILITY FOR REASSESSMENT; AND**

25 **(4) DOCUMENTATION THAT CONFIRMS THE PATIENT IN ACTIVE**
26 **LABOR UNDERSTANDS THE SAFE DISCHARGE LABOR PLAN, INCLUDING THE RISKS,**
27 **POTENTIAL COMPLICATIONS, AND WHAT TO DO IF LABOR INTENSIFIES OR**
28 **COMPLICATIONS OCCUR.**

29 **(E) A HOSPITAL SHALL:**

1 **(1) MAINTAIN RECORDS OF ALL SAFE DISCHARGE LABOR PLANS**
2 **COMPLETED UNDER THIS SECTION, INCLUDING THE SIGNED ACKNOWLEDGMENT OF**
3 **THE SAFE DISCHARGE LABOR PLAN, FOR AT LEAST 21 YEARS AFTER THE PATIENT IN**
4 **ACTIVE LABOR IS DISCHARGED OR TRANSFERRED;**

5 **(2) PROVIDE ANNUAL TRAINING TO ALL PATIENT CARE STAFF**
6 **MEMBERS WHO WORK IN OBSTETRIC, LABOR, DELIVERY, AND EMERGENCY CARE**
7 **THAT ADDRESSES:**

8 **(I) MATERNAL HEALTH AND PREGNANCY-RELATED**
9 **CONDITIONS;**

10 **(II) BEST PRACTICES IN COMMUNICATION AND**
11 **PATIENT-CENTERED CARE;**

12 **(III) RACIAL AND ETHNIC DISPARITIES IN MATERNAL CARE; AND**

13 **(IV) RESPECTFUL TREATMENT OF ALL PATIENTS IN ACTIVE**
14 **LABOR, REGARDLESS OF RACE, ETHNICITY, SOCIOECONOMIC STATUS, OR**
15 **INSURANCE COVERAGE; AND**

16 **(3) CONSPICUOUSLY POST COPIES OF A PATIENT'S RIGHTS UNDER**
17 **THIS SECTION, INCLUDING THE RIGHT OF A PATIENT IN ACTIVE LABOR TO HAVE A**
18 **SAFE DISCHARGE LABOR PLAN BEFORE BEING DISCHARGED OR TRANSFERRED, ON**
19 **THE HOSPITAL'S WEBSITE AND IN THE LABOR AND DELIVERY DEPARTMENT.**

20 **(F) A HOSPITAL MAY USE A TRAINING DEVELOPED AND ACCREDITED BY A**
21 **THIRD PARTY TO SATISFY THE TRAINING REQUIRED UNDER SUBSECTION (E)(2) OF**
22 **THIS SECTION IF THE TRAINING OTHERWISE SATISFIES THE REQUIREMENTS OF**
23 **SUBSECTION (E)(2) OF THIS SECTION.**

24 **(G) (1) IF THE DEPARTMENT FINDS A HOSPITAL HAS VIOLATED**
25 **SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL:**

26 **(I) IMPOSE A CIVIL MONETARY PENALTY OF \$25,000 PER**
27 **VIOLATION;**

28 **(II) REQUIRE THE HOSPITAL TO ESTABLISH A PLAN OF**
29 **CORRECTION TO PREVENT FUTURE VIOLATIONS; AND**

30 **(III) IF APPLICABLE, REFER A HEALTH CARE PRACTITIONER**
31 **RESPONSIBLE FOR THE VIOLATION TO THE APPROPRIATE HEALTH OCCUPATIONS**
32 **BOARD FOR DISCIPLINE.**

1 **(2) IF THE DEPARTMENT FINDS A HOSPITAL HAS VIOLATED**
2 **SUBSECTION (E)(1) OR (3) OF THIS SECTION, THE DEPARTMENT SHALL:**

3 **(I) FOR A FIRST VIOLATION, PROVIDE WRITTEN NOTICE TO THE**
4 **HOSPITAL OF THE VIOLATION AND ALLOW THE HOSPITAL TO ADDRESS THE**
5 **DEFICIENCY;**

6 **(II) FOR A SECOND VIOLATION, IMPOSE A CIVIL MONETARY**
7 **PENALTY OF \$5,000; AND**

8 **(III) FOR EACH SUBSEQUENT VIOLATION, INCREASE THE**
9 **FREQUENCY WITH WHICH THE DEPARTMENT INSPECTS THE HOSPITAL FOR**
10 **COMPLIANCE WITH THIS SECTION.**

11 **(3) IF THE DEPARTMENT FINDS THAT A HOSPITAL HAS VIOLATED**
12 **SUBSECTION (E)(2) OF THIS SECTION, THE DEPARTMENT SHALL:**

13 **(I) IMPOSE A CIVIL PENALTY OF \$5,000 FOR EACH YEAR THE**
14 **HOSPITAL HAS FAILED TO PROVIDE THE REQUIRED TRAINING; AND**

15 **(II) REQUIRE THE HOSPITAL TO PROVIDE THE MANDATORY**
16 **TRAINING WITHIN 90 DAYS AFTER NOTICE OF THE VIOLATION IS PROVIDED.**

17 **(H) ON OR BEFORE APRIL 1 EACH YEAR, BEGINNING IN 2028, EACH**
18 **HOSPITAL SHALL SUBMIT AN ANONYMIZED REPORT TO THE DEPARTMENT FOR THE**
19 **IMMEDIATELY PRECEDING CALENDAR YEAR THAT INCLUDES:**

20 **(1) THE NUMBER OF DISCHARGES OR TRANSFERS OF PATIENTS IN**
21 **ACTIVE LABOR MADE WITH SAFE DISCHARGE LABOR PLANS;**

22 **(2) THE NUMBER OF DISCHARGES OR TRANSFERS OF PATIENTS IN**
23 **ACTIVE LABOR MADE WITHOUT A SAFE DISCHARGE LABOR PLAN AND THE REASON**
24 **THOSE DISCHARGES OR TRANSFERS WERE MADE WITHOUT A SAFE DISCHARGE**
25 **LABOR PLAN; AND**

26 **(3) ANY ADVERSE EVENTS THAT OCCURRED FOLLOWING THE**
27 **DISCHARGE OR TRANSFER OF A PATIENT IN ACTIVE LABOR, INCLUDING ANY**
28 **REPORTS OF BIRTHS OCCURRING OUTSIDE THE HOSPITAL AND ANY**
29 **COMPLICATIONS.**

30 **(I) ON OR BEFORE AUGUST 1 EACH YEAR, BEGINNING IN 2028, THE**
31 **DEPARTMENT SHALL:**

1 **(1) COMPILER THE REPORTS SUBMITTED UNDER SUBSECTION (H) OF**
2 **THIS SECTION; AND**

3 **(2) SUBMIT THE COMPILATION AND ANY RELATED**
4 **RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257**
5 **OF THE STATE GOVERNMENT ARTICLE.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 January 1, 2027.