

SENATE BILL 169

J3, J1
SB 447/25 – FIN

(PRE-FILED)

6lr0801
CF 6lr2273

By: **Senators Lam, Beidle, Feldman, Guzzone, and Love**

Requested: September 8, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Emergency Pregnancy–Related Medical Conditions – Procedures**

3 FOR the purpose of requiring a hospital to conduct screening on a patient presenting at an
4 emergency department of the hospital to determine whether the patient has an
5 emergency pregnancy–related medical condition; establishing requirements and
6 prohibitions related to the treatment and transfer of a patient who has an emergency
7 pregnancy–related medical condition; requiring a hospital to allow the termination
8 of a pregnancy in certain circumstances; prohibiting a hospital from taking adverse
9 action against a provider for not transferring a patient who is not stabilized or
10 against a hospital employee if the employee reports a violation of this Act; and
11 generally relating to emergency pregnancy–related medical conditions and hospitals.

12 BY adding to

13 Article – Health – General

14 Section 19–342.1

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Health – General

19 Section 20–214(b)

20 Annotated Code of Maryland

21 (2023 Replacement Volume and 2025 Supplement)

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

24 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 19-342.1.

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

4 (2) "EMERGENCY PREGNANCY-RELATED MEDICAL CONDITION"
5 MEANS A MEDICAL CONDITION THAT PRESENTS IN A PREGNANT PATIENT THROUGH
6 ACUTE SYMPTOMS OF SUFFICIENT SEVERITY AND FOR WHICH THE ABSENCE OF
7 IMMEDIATE MEDICAL ATTENTION COULD BE REASONABLY EXPECTED TO RESULT IN:

8 (I) PLACING THE HEALTH OF THE PATIENT IN SERIOUS
9 JEOPARDY;

10 (II) SERIOUS IMPAIRMENT TO BODILY FUNCTIONS; OR

11 (III) SERIOUS DYSFUNCTION OF ANY BODILY ORGAN OR BODY
12 PART.

13 (3) "STABILIZE" MEANS, FOR AN EMERGENCY PREGNANCY-RELATED
14 MEDICAL CONDITION, TO PROVIDE THE MEDICAL TREATMENT NECESSARY TO
15 ALLEVIATE THE CONDITION OR ENSURE, WITHIN REASONABLE MEDICAL
16 PROBABILITY, THAT NO MATERIAL DETERIORATION OF THE CONDITION IS LIKELY
17 TO RESULT FROM OR OCCUR DURING THE TRANSFER OF THE PATIENT FROM THE
18 FACILITY.

19 (B) THIS SECTION APPLIES ONLY TO A HOSPITAL WITH AN EMERGENCY
20 DEPARTMENT.

21 (C) IF A HOSPITAL DETERMINES THAT A PATIENT HAS AN EMERGENCY
22 PREGNANCY-RELATED MEDICAL CONDITION, THE HOSPITAL SHALL:

23 (1) USING THE STAFF AND FACILITIES AVAILABLE TO THE HOSPITAL,
24 PROVIDE FURTHER EXAMINATION AND THE TREATMENT REQUIRED TO STABILIZE
25 THE EMERGENCY PREGNANCY-RELATED MEDICAL CONDITION, INCLUDING THE
26 TERMINATION OF A PREGNANCY WHEN THE TERMINATION IS MEDICALLY
27 NECESSARY TO STABILIZE THE PATIENT; OR

28 (2) TRANSFER THE PATIENT TO ANOTHER MEDICAL FACILITY.

29 (D) A HOSPITAL SHALL ALLOW THE TERMINATION OF A PREGNANCY AT THE
30 HOSPITAL IF THE PATIENT'S TREATING HEALTH CARE PRACTITIONER DETERMINES
31 TERMINATION IS MEDICALLY NECESSARY TO STABILIZE A PATIENT.

6 (I) A PATIENT OR THE PATIENT'S REPRESENTATIVE REFUSES
7 TO CONSENT TO FURTHER EXAMINATION AND TREATMENT; OR

14 (F) IF A PATIENT HAS AN EMERGENCY
15 PREGNANCY-RELATED MEDICAL CONDITION THAT HAS NOT BEEN STABILIZED, THE
16 HOSPITAL MAY NOT TRANSFER THE PATIENT UNLESS THE TRANSFER IS DONE
17 CONSISTENT WITH 42 U.S.C. § 1395DD.

18 (G) A HOSPITAL MAY NOT PENALIZE OR TAKE OTHER ADVERSE ACTION,
19 INCLUDING AN ACTION RELATED TO DISCHARGE, PROMOTION, DEMOTION,
20 SUSPENSION, COMPENSATION, TRAINING OPPORTUNITIES, STAFF PRIVILEGES, OR
21 ADMITTING PRIVILEGES, AGAINST:

(1) A TREATING HEALTH CARE PROVIDER IF THE PROVIDER REFUSES TO AUTHORIZE THE TRANSFER OF A PATIENT WITH AN EMERGENCY PREGNANCY-RELATED MEDICAL CONDITION THAT HAS NOT BEEN STABILIZED;

31 (H) A HOSPITAL THAT NEGLIGENTLY VIOLATES THIS SECTION IS SUBJECT
32 TO A CIVIL PENALTY OF:

(1) FOR A HOSPITAL WITH 100 OR MORE BEDS, NOT MORE THAN
\$50,000 FOR EACH VIOLATION; OR

15 (II) THE AMOUNT REFUNDED UNDER SUBPARAGRAPH (I) OF
16 THIS PARAGRAPH MAY NOT EXCEED THE AMOUNT OF THE FINE IMPOSED BY THE
17 DEPARTMENT FOR THE SAME INCIDENT.

18 20-214.

24 (ii) To refer to any source for these medical procedures.

25 (2) The refusal to [permit] ALLOW or to refer to a source for these
26 procedures may not be grounds for:

27 (i) Civil liability to another person; or

(ii) Disciplinary or other recriminatory action against the person by this State or any person.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2026.