



Testimony of American Association of University Women Maryland

to the

**Maryland General Assembly
Senate Judicial Proceedings Committee**

opposing

Senate Bill 311: Catastrophic Health Emergencies-Health Care Providers-Definition and Immunity

February 2, 2021

The American Association of University Women Maryland (AAUW Maryland) opposes Senate Bill 311: “Catastrophic Health Emergencies-Health Care Providers-Definition and Immunity” (SB 311). SB 311 would expand corporate immunity in healthcare that will make us all less safe.

Founded in 1881, AAUW’s approximately 170,000 members and 1,000 branches nationwide are leaders in gender equity research, advocacy, and philanthropy. In Maryland, we have over 4,000 members and supporters and 13 college and university partners.

AAUW Maryland believes that everyone is entitled to high-quality, affordable, and accessible health care, especially during public health emergencies. But SB 311 would immunize businesses from liability even when they caused COVID-related illness or death by failing to take reasonable steps to keep people safe. Furthermore, immunizing business from accountability to workers, patients and consumers would encourage businesses to be careless with public health and safety. If businesses know that they do not have to worry about government enforcement or the possibility of lawsuits, they are far less incentive to make changes needed to keep people safe.

Furthermore, the immunity provision is so broad it could be read to cover almost any act or omission, not just malpractice that causes patient harm or death, but also failure to provide safe workplaces for their employees that results in harming front line health care workers. How can Maryland justify stripping protections from the real front line heroes such as doctors, nurses, and first responders to protect the corporate entities that employ them when they fail to provide safe workplaces (for example not providing personal protective equipment)?

The goal of SB 311 is not to protect businesses from frivolous claims. Frivolous claims are already dismissed through our current legal system. The goal of SB 311 is to make it impossible for individuals, patients or workers, from bringing meritorious claims of negligence by corporate health care providers. AAUW Maryland opposes this bad faith attempt to use a national pandemic as a vehicle for corporately backed “tort reform” legislation that would deny Maryland consumers and front line emergency workers their day in court when they have meritorious claims against health care providers. Please view the congressional testimony from Public Citizen about the danger of passing this kind of law during a pandemic using this link:

<https://www.citizen.org/article/congressional-testimony-on-liability-laws-during-the-covid-19-pandemic/>

Please protect Maryland patients and oppose SB 311. For more information, please contact Erin Prangle, President, AAUW Maryland, at erin.prangle@gmail.com.