

Marylanders for Patient Rights

MARYLANDERS FOR PATIENT RIGHTS OPPOSES SB311

January 29, 2021

Chair William C. Smith
Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St., Annapolis, MD 21401

Dear Chair Smith,

On behalf of Marylanders for Patient Rights, a patient advocacy organization, I am writing to strongly **OPPOSE SB311**, a bill which threatens to undermine the rights of Maryland hospital patients. The 2019 Patient's Bill of Rights was supported by 24 advocacy groups, passed the MGA unanimously, and was signed into law by the Governor. SB311 threatens to undermine those patient rights by denying patients legal recourse for egregious medical errors, patient dumping, or discrimination against vulnerable patients and minorities.

SB311 greatly expands the number of hospital employees who would receive blanket immunity to civil and criminal liability during a health emergency. Moreover, the immunity would be in effect not only during a health emergency, but also for an additional 180 days *afterwards*, which is totally unjustified. Without civil or criminal liability, there would be no consequences for hospital "employees, agents, or contractors" failing to provide patients with safe, respectful, and informed healthcare during and six months after the end of a crisis.

By removing accountability, SB311 poses risks to hospital patients in increasing medical errors (the third leading cause of deaths in the USA), threatening patient safety, and allowing for implicit bias and discrimination. SB311 is ill-conceived and has the potential for grievous harm against vulnerable patients, including those who are elderly or disabled.

Maryland hospitals have remained among the worst (47th out of 50 states) in the USA in hospital patient satisfaction for the past five years, based on surveys by the Centers for Medicare and Medicaid Services in the Oct. 2020 Hospital Consumer Assessment of Health Care Providers. This is shameful. SB311 basically allows hospitals to avoid implementing the patient rights law during and six months after the COVID pandemic and other emergencies, when patients need those rights more than ever. **Please OPPOSE SB311 and protect Maryland hospital patients.**

Sincerely,
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