



TO: The Honorable Delores G. Kelley, Chair
Members, Senate Finance Committee
The Honorable Mary Beth Carozza

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone

DATE: March 16, 2022

RE: **OPPOSE** – Senate Bill 891 – *Public Health – Medical Procedures – Parent or Guardian Notice (Maryland Parental Involvement Enhancement Act)*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **opposition** for Senate Bill 891.

Senate Bill 891 repeals existing provisions relating to parental or guardian notification for abortions sought by minors and institutes much more prescriptive notification requirements. It also establishes new requirements regarding notification of a parent or guardian before performing a medical procedure. The bill repeals existing provisions of law specifying that a physician is not liable for civil damages or subject to criminal penalties for a decision not to give required notice.

Minor consent for health care services has generally been granted for services that a minor may be ashamed, scared, or otherwise unlikely to discuss with a parent or guardian. It includes substance use, sexually transmitted diseases, and other similarly challenging health care needs. With respect to abortion, current law requires a physician to make a reasonable attempt to notify the parent or guardian, unless in the physicians' judgement notification may not be in the minor's best interest. Furthermore, under current law, a health care provider retains full authority to determine whether the minor has the capacity to understand what is being consented to and the implications of consent. In addition, even if a minor consents to care, a health care provider retains full authority to discuss the care with the parent or guardian if the provider believes it is in the best interest of the child.

Retention of a physician's authority to make a professional judgement about whether notification of a parent or guardian is in the minor's best interest is especially critical in circumstances when a parent or guardian of a minor may have caused the pregnancy, notification may lead to physical or emotional abuse, or there are other factors that may indicate notification is not in the best interest of the minor. Senate Bill 891 has the potential to create significant negative implications for the health and safety of the minor. An unfavorable report is requested.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone
410-244-7000