



Maryland
Hospital Association

February 21, 2024

To: The Honorable William C. Smith Jr., Chair, Senate Judicial Proceedings Committee

Re: Letter of Information - Senate Bill 661- Public Safety - Law Enforcement - Use of Body-Worn Cameras

Dear Chair Smith:

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment on Senate Bill 661.

MHA appreciates the state's diligence to develop policies and standards for body-worn cameras, including the Maryland Body-worn Camera Procedural Reference Guide, produced by the Maryland Police and Correctional Training Commission.¹

The guide recognizes the importance of patient privacy when recording in hospitals, other medical facilities, and psychiatric facilities.

Recordings in a hospital can capture protected health information of people in law enforcement custody and other patients. The Health Insurance Portability and Accountability Act requires medical facilities to safeguard protected health information, including patients' names, biometric identifiers, and full-face photographic images and comparable images.

To properly protect patient information, hospitals need greater clarification and guidance on how officers—on duty and off—can use body cameras in their facilities and what protections are afforded to the recordings. This can be accomplished through policies released by each jurisdiction. As more jurisdictions develop these policies, they should consider what parameters and safeguards need to be in place when recording within hospitals and medical facilities.

Patients have a right to privacy in a hospital. It is imperative that hospitals safeguard these rights regardless of whether there is a law enforcement incident occurring in the same setting.

We appreciate the opportunity to provide information on SB 661.

For more information, please contact:
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¹ [Body-worn Camera Procedural Reference Guide.pdf \(mdle.net\)](#)