

TO: The Honorable Pamela Beidle, Chair
Senate Finance Committee

FROM: Annie Coble
Assistant Director, Maryland Government Affairs

DATE: February 24, 2026

RE: SB550 Health Care Decisions Act - Surrogate Decision Making - Mental Disorders

SB550

Favorable

Johns Hopkins supports **SB550 Health Care Decisions Act – Surrogate Decision Making – Mental Disorders**. This bill removes the prohibition against a surrogate decision making authorizing mental health treatment.

Currently, when a person lacks decision-making capacity due to a physical condition, established surrogate decision-making pathways allow family members or designated representatives to step in. However, when incapacity arises from a serious mental disorder, the pathway is often less clear, more restrictive, or functionally unavailable. This creates confusion, delays treatment, and can result in unnecessary suffering or deterioration.

Importantly, this legislation does not eliminate due process protections. Capacity assessments remain essential, and surrogate authority must continue to be exercised in accordance with established ethical and legal standards. Instead, this bill ensures that the presence of a mental disorder alone does not create an artificial legal barrier to appropriate medical decision making.

Johns Hopkins would urge the Committee to ensure there is alignment between the surrogate decision making rules and the guardianship rules in Title 13 of the Estates and Trusts Article.

Mental health care should be guided by the same principles that govern all of medicine: respect for dignity, protection of patient rights, and timely access to necessary treatment. SB550 reflects these principles and moves Maryland toward a more consistent and compassionate system.

Accordingly, Johns Hopkins respectfully requests a **FAVORABLE** committee report on SB550.