

SB0169_RichardKaplowitz_FAV

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Richard Keith Kaplowitz

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TESTIMONY ON SB#/0169- POSITION: FAVORABLE

Hospitals - Emergency Pregnancy-Related Medical Conditions – Procedures

TO: Chair Beidle, Vice Chair Hayes, and members of the Finance Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0169, **Hospitals - Emergency Pregnancy-Related Medical Conditions – Procedures**

As documented by the Society for Maternal-Fetal Medicine:

Signed into law in 1986, the Emergency Medical Treatment and Labor Act (EMTALA) require hospitals that receive Medicare funds to treat and stabilize anyone who presents with an emergency medical condition, regardless of their ability to pay and regardless of the type of care required. If the hospital is not equipped to provide treatment, it must arrange a transfer. Since the Dobbs decision, there has been litigation focused on whether EMTALA’s requirements to provide stabilizing care supersede state abortion bans. Most recently, the US Department of Justice dropped an ongoing lawsuit challenging Idaho’s near-total abortion ban. The suit, originally filed by the Biden administration, claimed that Idaho’s law violated EMTALA.¹

Maryland believes that women’s health should and must be protected in pregnancy-related medical emergencies and not blocked by onerous abortion laws. As documented in the State Court Report:

Doctors have delayed lifesaving care out of confusion over exceptions to strict abortion bans. State courts are being asked to clarify the laws.²

As of 2025, the Maryland Constitution explicitly protects an individual’s right to abortion, and state laws allow for abortions without gestational restrictions, especially if necessary to protect the life or health of the pregnant person.

This bill requires a hospital to conduct screening on a patient presenting at an emergency department of the hospital to determine whether the patient has an emergency pregnancy-related medical condition; establishing requirements and prohibitions related to the treatment and transfer of a patient who has an emergency pregnancy-related medical condition; requiring a hospital to allow the termination of a pregnancy in certain circumstances; etc.

I respectfully urge this committee to return a favorable report on SB#/0169.

¹ <https://www.sfm.org/emtala>

² <https://statecourtreport.org/our-work/analysis-opinion/states-abortion-bans-when-does-medical-emergency-trigger-exception>