



Maryland
Hospital Association

Senate Bill 792 – Hospitals – Immigration Enforcement Action - Policy

Position: *Support with the Sponsor's Amendments*

March 10, 2026

Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 792 with the Sponsor's amendments.

Maryland hospitals strive to ensure their facilities are safe places of healing for all individuals regardless of citizenship status. Hospitals have collaborated with the Maryland Office of the Attorney General (OAG) to ensure policies are in place to support this effort. In 2017, at the request of members of the Maryland General Assembly, MHA asked Maryland hospitals to review their policies related to undocumented individuals and non-U.S. citizens and update them to reflect guidance from the OAG.

The guidance references federal requirements, including the Health Insurance Portability and Accountability Act (HIPAA) and the Emergency Medical Treatment and Active Labor Act (EMTALA). Title VI of the federal Civil Rights Act of 1964 and Section 1557 of the Affordable Care Act prohibit discrimination based on race, color, and national origin in programs and activities that receive federal financial assistance, including Medicaid and Medicare. Maryland law also prohibits discrimination by health care providers.¹

Maryland hospitals complied with this request and updated their policies to align with the OAG guidance. Going beyond the initial request, hospitals agreed to a reporting protocol with the OAG if the U.S. Immigration and Customs Enforcement (ICE) agency enter "sensitive locations," including hospitals.

In January 2025, the OAG released additional [guidance](#) for health care providers. The guidance issued by the OAG notes the reversal of the Department of Homeland Security's policy prohibiting enforcement and removal of any individual at "sensitive locations." The guidance notes that, "due to a change in federal policy, immigration enforcement actions are now more likely to occur at health care facilities."² The OAG's guidance includes recommendations on staff training and how to address interactions with immigration enforcement officers.

¹ Md. Code, Health-Gen. § 19-355

² [012825_25_Healthcare_Guidance.pdf](#)

Maryland hospitals have policies in place that comply with the requirements of SB 792 and can provide these policies to staff.

For these reasons, we request a favorable report on SB 792.

For more information, please contact:

Jane Krienke, Assistant Vice President, Government Affairs & Policy
Jkrienke@mhaonline.org