



2026 WRITTEN TESTIMONY

PROFESSIONAL LIABILITY INSURANCE COVERAGE - NURSING HOMES,
ASSISTED LIVING FACILITIES, AND NURSE MIDWIVES - DISCLOSURE

SB 293 / HB 422 - FAVORABLE

SB 293 / HB 422 extends existing Maryland law applicable to physicians and physician assistants to Nursing Homes, Assisted Living Facilities and Midwives, requiring them to notify residents and patients, in writing, if the Home, Facility or Midwife does not maintain professional liability insurance coverage, or if their coverage has lapsed and not been renewed.

Choosing healthcare providers or a facility to care for ourselves or our loved ones are some of the most difficult decisions that Marylanders make. Gathering information about health care providers and facilities is an important part of the decision-making process. Patients need to know if their provider or facility is covered by insurance in the event something goes wrong. While many Marylanders assume their providers have insurance, this is not always the case. The law does not require insurance for health care providers or facilities, and a number of them do not carry it.

The General Assembly has already recognized that patients must be told when a physician or physician assistant does not have insurance. SB 293 / HB 422 extends that same law to midwives, nursing homes, and assisted living facilities. It requires that an informed consent be signed by the patient and maintained in their medical records, and that notice of no insurance be posted conspicuously in the provider's office or facility for patients to see.

This bill is crucial for ensuring transparency and safeguarding the interests of vulnerable individuals who rely on the services of nursing homes, assisted living facilities, and midwives. Professional liability insurance serves as a critical safeguard, protecting patients from potential malpractice and ensuring that caregivers are financially accountable for their actions. By mandating clear and timely notification of the lack of insurance, this bill empowers patients and residents to make informed decisions about their care.

The Maryland Association for Justice urges a FAVORABLE Report on SB 293 / HB 422.

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

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