Maryland Hospital Association

Senate Bill 269- Courts and Judicial Proceedings - Evidence - Rebuttable Presumption of Medical Bills

Position: ***Oppose***
February 3, 2026
Senate Judicial Proceedings Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in opposition of Senate Bill 269. Maryland hospitals oppose efforts that would make the state's challenging liability environment even more unsustainable. SB 269 would needlessly increase the cost of care and restrict health care access by increasing insurance costs. This legislation would harm hospitals' ability to attract and keep essential staff, pay for critical health resources, and preserve the infrastructure required to provide the highest quality care.

Maryland already has one of the most challenging and unstable liability climates in the nation. This bill would compound those challenges by shifting the burden of proving the veracity of medical bills onto defendants. This structure is fundamentally unfair and encourages the submission of medical bills for health services that may not have been medically necessary. Plaintiffs could rely on this shifted burden knowing defendants must spend time, money, and significant effort challenging those charges.

When the law makes a plaintiff's evidence easier to accept, defendants are forced to gather additional documentation, hire experts, and conduct extensive discovery just to defend themselves. These requirements make lawsuits more expensive and time consuming, which in turn drives up insurance costs across the state. Maryland already has some of the highest liability insurance costs in the region, and this bill will push those costs even further. Those added expenses ultimately divert hospitals' limited resources from patient care.

Now is not the time to impose new burdens on hospitals amid federal uncertainty, Medicaid cuts, rising insurance costs, and the state's shift to the federal AHEAD Model. These changes come at a time when hospitals are already facing workforce shortages, financial strain, inflation, and high operating costs.

MHA has repeatedly cautioned that the current liability climate threatens access to care and the long term stability of hospital operations. SB 269 would heighten these risks by increasing the likelihood of lawsuits and further raising liability insurance costs at a moment when hospitals simply cannot absorb additional pressure.

For these reasons, we request an unfavorable report on SB 269.

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