



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary
March 5, 2026

The Honorable J. Sandy Bartlett
Chair, House Judiciary Committee
Room 101, House Office Building
Annapolis, MD 21401-1991

RE: House Bill 1131 – Public Health - Pregnancy Loss - Prohibited Actions (Pregnancy Outcome Protection Act) – Letter of Support with Amendments

Dear Chair Bartlett and Committee members:

The Maryland Department of Health (the Department) respectfully submits this letter of support with amendments for House Bill (HB) 1131 – Public Health - Pregnancy Loss - Prohibited Actions (Pregnancy Outcome Protection Act). HB 1131 would bar investigations, civil liability, or criminal prosecution against individuals who experience pregnancy loss, except in limited circumstances. It would also protect providers from investigation, criminal penalties, or civil liability for supporting patients during or after pregnancy loss and restrict disclosure of related medical records, except in specified situations.

The Department supports the protection of individuals' reproductive rights, including the right to be free from criminal prosecution in connection with pregnancy loss. Criminalization of pregnancy outcomes is increasing across the nation. This legislation seeks to prevent the prosecution of individuals for pregnancy loss absent independent evidence of criminal conduct unrelated to the pregnancy or the pregnancy outcome itself.

In line with the intent of HB 1131, the Department proposes a targeted amendment to ensure that necessary reporting mechanisms for public health surveillance and system improvement remain in place to support critical public health interventions. Current Maryland law requires reporting around certain instances of still birth and fetal death that are important for public health, surveillance, evaluation and intervention. Research based on this data can lead to improvements in critical practices that save lives. More specifically, the fetal death data collected by the Department is essential for tracking trends that inform Fetal and Infant Mortality Reviews as well as Maternal Mortality Reviews. This data is also used in responses to requests for data from researchers, medical providers, local health departments and included in annual reports that are available to the public:

- Under Maryland's 2024 GIFT Act, health care providers must conduct maternal syphilis testing following a stillbirth delivered at 20 weeks or later (or weighing ≥ 500 grams), and

positive tests must be reported to the Department using a confidential morbidity report.¹ This confidential report includes a question about the infant’s status at birth. And while congenital syphilis can be fatal, it is entirely preventable. Research from this data can help practitioners better target interventions.

- Fetal and Infant Mortality Review (FIMR): Disclosure of medical records if for a FIMR (COMAR [10.11.06.07](#) and [10.11.06.11](#)). These reviews allow for greater insight into how fetal and infant deaths may be decreased or prevented in the future.
- Maternal Mortality Review (MMR): Health-General §13–1205 requires that a “health care provider or health care facility... shall provide the Maternal Mortality Review Program reasonable access to all relevant medical records associated with a case under review by the Maternal Mortality Review Program.” This bill states that a provider may not report a pregnancy loss or disclose any portion of the medical record unless “(3) the provider first obtains the consent of the individual that experienced the pregnancy loss.” The Department notes that clarity is needed around circumstances in which the individual dies and is unable to provide this consent, including in connection with MMR work. Improving maternal health outcomes in Maryland is a priority of the Department, and Maternal Mortality Review program activities contribute valuable data toward our work in this area.

If you would like to discuss this further, please do not hesitate to contact Meghan Lynch, Director of Governmental Affairs at meghan.lynch@maryland.gov.

Sincerely,



Meena Seshamani, M.D., Ph.D.
Secretary of Health

¹ https://mgaleg.maryland.gov/2024RS/chapters_noln/Ch_752_hb0119E.pdf

AMENDMENT TO HOUSE BILL 1131
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, line 15, strike “A” and substitute, “**EXCEPT AS REQUIRED UNDER § 4-213, 13-1205, 13-1206, 18-107, AND 18-307, A**”.

Rationale: This amendment is to: 1) allow the release of hospital medical records for both the Fetal and Infant Mortality Review and Maternal Mortality Review; 2) allow the release of medical records in the case of positive syphilis test results in the case of stillbirths as outlined in the GIFT Act; and 3) allow the reporting of fetal deaths in order to comply with § 4-213.