



## House Bill 385

**Position: Unfavorable**

Committee: Judiciary

Date: March 11, 2026

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Founded in 1968, the Maryland Chamber of Commerce (“Maryland Chamber”) is a statewide coalition of more than 7,000 members working to develop and promote strong public policy that ensures sustained economic growth and opportunity for all Marylanders.

House Bill 385 (“HB 385”) seeks to provide that medical bills from a healthcare provider are authentic, fair, and reasonable based solely on the bill being introduced into discovery, which undermines longstanding evidentiary and burden of proof laws that protect against false or inflated claims. As a result, HB 385 would increase insurance costs, reduce affordability, and further contribute to Maryland’s slow economic growth.

HB 385 establishes a presumption that medical bills are fair and reasonable simply because they are produced during discovery. This is deeply problematic. Medical charges frequently rely on inflated, chargemaster-based pricing that bears little resemblance to amounts actually paid by insurers or government programs. As a result, HB 385 would effectively deem provider-generated charges reasonable before any meaningful evidentiary evaluation occurs.

By creating this presumption, the legislation improperly shifts the burden of proof onto defendants, forcing them to disprove the reasonableness of charges that often do not reflect actual economic harm. This undermines established evidentiary standards and makes inflated or inaccurate claims more difficult to challenge, encouraging higher billed amounts and increasing litigation abuse.

At its core, HB 385 departs from long-standing tort principles by redefining how damages are measured in personal injury cases. Rather than compensating plaintiffs based on actual economic loss, the bill elevates the amount charged to a presumptive measure of damages. This approach disconnects compensation from real-world market values and creates an artificial baseline for damages.

These changes would predictably lead to larger verdicts, higher settlement demands, and increased litigation costs. Maryland families and businesses are already burdened by excessive tort costs, estimated at approximately \$2,095 per person annually and \$5,430 per household. HB 385 would exacerbate these pressures, contribute to rising insurance rates, and place additional burdens on Maryland’s already stagnant economy. **For these reasons, the Maryland Chamber respectfully request an unfavorable report on HB 385.**