



**MSBA Bill Report 2A - Litigation and  
ADR (2024.01.23)**

**January 23, 2024**

**[MD - HB289 State Contracts - Prohibited Provisions](#)**

Last Action: Text - First - State Contracts - Prohibited Provisions (January 12, 2024)

Primary Sponsor: Delegate Kenneth Kerr (D)

Committee: Health and Government Operations (House)

Scheduled Hearing:

Health and Government Operations (House)

**Date:** January 23, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 240, Annapolis, MD

Summary:

Prohibiting certain provisions from being included in State contracts; specifying that certain provisions are void if included in a State contract; and specifying the applicable law and interpretation of State contracts.

Cross-filed Bill: SB375

Statutes Amended:

2-901 Article - State Finance and Procurement

**[MD - HB403 End-of-Life Option Act \(The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act\)](#)**

Last Action: Text - First - End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act) (January 18, 2024)

Primary Sponsor: Delegate Terri L. Hill (D)

Committees:

Health and Government Operations (House)

Judiciary (House)

Summary:

Authorizing an individual to request aid in dying by making certain requests; establishing requirements and prohibitions governing aid in dying, including requirements related to requests for aid in dying, consulting physicians, mental health assessments, the disposal of drugs prescribed for aid in dying, health care facility policies, and the effect of aid in dying on insurance policies; authorizing a pharmacist to dispense medication for aid in dying only to certain individuals under certain circumstances; etc.

Cross-filed Bill: SB443

**[MD - HB425 Advanced Practice Registered Nurse Compact](#)**

Last Action: Hearing 2/06 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Delegate Samuel I. Rosenberg (D)

Committee: Health and Government Operations (House)

Scheduled Hearing:

Health and Government Operations (House)

**Date:** February 6, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 240, Annapolis, MD

Summary:

Entering into the Advanced Practice Registered Nurse Compact; establishing criteria for participating states; authorizing an advanced practice registered nurse to practice in a party state under certain scope of practice rules; establishing the Interstate Commission of APRN Compact Administrators and its duties and powers; providing for the amendment of and withdrawal from the Compact; providing that the Compact is contingent on the enacting of substantially similar legislation in six other states; etc.

Cross-filed Bill: SB359

Statutes Amended:

8-7B-01 Article - Health Occupations

### **[MD - SB359 Advanced Practice Registered Nurse Compact](#)**

Last Action: Text - First - Advanced Practice Registered Nurse Compact (January 16, 2024)

Primary Sponsor: Senator Antonio Hayes (D)

Committee: Finance (Senate)

Summary:

Entering into the Advanced Practice Registered Nurse Compact; establishing criteria for participating states; authorizing an advanced practice registered nurse to practice in a party state under certain scope of practice rules; establishing the Interstate Commission of APRN Compact Administrators and its duties and powers; providing for the amendment of and withdrawal from the Compact; providing that the Compact is contingent on the enacting of substantially similar legislation in six other states; etc.

Cross-filed Bill: HB425

Statutes Amended:

8-7B-01 Article - Health Occupations

### **[MD - SB375 State Contracts - Prohibited Provisions](#)**

Last Action: Hearing 1/24 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Senator Nancy J. King (D)

Committee: Budget and Taxation (Senate)

Scheduled Hearing:

Budget and Taxation (Senate)

**Date:** January 24, 2024

**Time:** 1:00pm (EST)

**Location:** West Miller Senate Building, Room 3, Annapolis, MD

Summary:

Prohibiting certain provisions from being included in State contracts; specifying that certain provisions are void if included in a State contract; and specifying the applicable law and interpretation of State contracts.

Cross-filed Bill: HB289

Statutes Amended:

11-101,

13-228 Article - State Finance and Procurement

**[MD - SB424 Criminal Procedure - Admission of Out-of-Court Statements - Assault in the Second Degree](#)**

Last Action: Text - First - Criminal Procedure - Admission of Out-of-Court Statements - Assault in the Second Degree (January 19, 2024)

Primary Sponsor: Senator Mary-Dulany James (D)

Committee: Judicial Proceedings (Senate)

Summary:

Providing that during the trial of a criminal case in which a defendant is charged with an assault in the second degree, a certain statement is not excluded by the hearsay rule if the statement is offered against a party that has engaged in, directed, or conspired to commit wrongdoing that was intended to and did procure the unavailability of the declarant of the statement, under certain circumstances.

Statutes Amended:

10-901 Article - Courts and Judicial Proceedings

**[MD - SB443 End-of-Life Option Act \(The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act\)](#)**

Last Action: Text - First - End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act) (January 22, 2024)

Primary Sponsor: Senator Jeff Waldstreicher (D)

Committee: Judicial Proceedings (Senate)

Summary:

Authorizing an individual to request aid in dying by making certain requests; establishing requirements and prohibitions governing aid in dying, including requirements related to requests for aid in dying, consulting physicians, mental health assessments, the disposal of drugs prescribed for aid in dying, health care facility policies, and the effect of aid in dying on insurance policies; authorizing a pharmacist to dispense medication for aid in dying only to certain individuals under certain circumstances; etc.

Cross-filed Bill: HB403

### **MD - SB452 Courts - Prohibited Liability Agreements - Recreational Facilities**

Last Action: Text - First - Courts - Prohibited Liability Agreements - Recreational Facilities (January 22, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing that a provision in a contract or agreement relating to the use of a recreational facility that purports to limit the recreational facility's liability, or release the recreational facility from or indemnify or hold harmless the recreational facility against liability, for injury caused by or resulting from the negligence or other wrongful acts of the recreational facility or its agents or employees is void and unenforceable under certain circumstances.

Cross-filed Bill: HB162

Statutes Amended:

5-401.2 Article - Courts and Judicial Proceedings

### **MD - SB453 Mental Health - Emergency Evaluation and Involuntary Admission Procedures and Assisted Outpatient Treatment Programs**

Last Action: Text - First - Mental Health - Emergency Evaluation and Involuntary Admission Procedures and Assisted Outpatient Treatment Programs (January 22, 2024)

Primary Sponsor: President

Committee: Finance (Senate)

Summary:

Requiring a peace officer, when the peace officer receives a petition for emergency evaluation for an individual, to transport the emergency evaluatee to a nearby emergency facility, rather than the nearest emergency facility; authorizing a psychiatric nurse practitioner to evaluate an emergency evaluatee for

purposes of involuntary admission; requiring each county to establish an assisted outpatient treatment program; etc.

**MD - SB476 Workers' Compensation - Occupational Disease Presumptions - First Responders (Caring for Public Employees in the Safety Professions - CAPES Act)**

Last Action: Text - First - Workers' Compensation - Occupational Disease Presumptions - First Responders (Caring for Public Employees in the Safety Professions - CAPES Act) (January 22, 2024)

Primary Sponsor: President

Committee: Finance (Senate)

Summary:

Providing that certain firefighters, fire fighting instructors, rescue squad members, advanced life support unit members, and members of the Office of the State Fire Marshal who have thyroid, colon, or ovarian cancer are presumed, under certain circumstances, to have an occupational disease that was suffered in the line of duty and is compensable under workers' compensation law.

Statutes Amended:

9-503 Article - Labor and Employment