

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 84

(Delegate Kerr, *et al.*)

Health and Government Operations

Finance

Hospitals and Urgent Care Centers - Sepsis Protocol (Lochlin's Law)

This bill requires each hospital and urgent care center in the State, by January 1, 2025, to implement an evidence-based protocol for the early recognition and treatment of a patient with sepsis, severe sepsis, or septic shock based on generally acceptable standards of care. The sepsis protocol must comply with U.S. Centers for Disease Control and Prevention (CDC) sepsis guidelines. Each hospital and urgent care center must (1) require periodic training in the implementation of the sepsis protocol, as specified and (2) ensure that staff receive updated training following a substantive change to the protocol. A specialty psychiatric hospital must establish a process for the screening and early recognition of a patient with sepsis, severe sepsis, or septic shock, and procedures to transfer the patient to the appropriate setting. A hospital that submits sepsis data to the Centers for Medicare and Medicaid Services Hospital Inpatient Quality Reporting Program is presumed to meet the requirements of the bill.

Fiscal Summary

State Effect: MDH can likely oversee sepsis protocol implementation using existing budgeted resources. Revenues are not affected.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: Pursuant to § 19-301 of the Health-General Article, “hospital” means an institution that (1) has a group of at least five physicians who are organized as medical staff

for the institution; (2) maintains facilities to provide, under the supervision of medical staff, diagnostic and treatment services for two or more unrelated individuals; and (3) admits or retains the individuals for overnight care.

Pursuant to Maryland regulations (COMAR 10.09.77.01), “free-standing urgent care center” means a location, distinct from a hospital emergency room, a physician’s office, or a freestanding clinic, whose purpose is to diagnose and treat illness or injury for unscheduled, ambulatory patients seeking immediate medical attention.

Sepsis Initiatives in Maryland

Chapters 489 and 490 of 2018 required the Secretary of Health to establish a Sepsis Public Awareness Campaign Workgroup to (1) develop a public awareness campaign on sepsis awareness and prevention; (2) identify, review, and evaluate resources that could be used to educate the public on sepsis; and (3) identify cost-effective methods for disseminating information to the public about sepsis. The workgroup’s [required report](#) included recommendations related to improving messaging and providing resources to the general public for seeking medical care for sepsis symptoms.

In 2015, the Maryland Patient Safety Center and the Maryland Hospital Association undertook a [Sepsis Hospital Collaborative](#) that engaged 21 hospitals to improve sepsis care with a goal of reducing sepsis mortality in participating hospitals by 10%. The initiative reduced the rate of sepsis mortality by 25%, saving more than 550 lives.

Additional Comments: According to CDC, [sepsis](#) is the body’s extreme response to an infection. Sepsis is life-threatening, and without timely treatment, can rapidly lead to tissue damage, organ failure, and death. Sepsis occurs when an infection an individual already has triggers a chain reaction throughout the body. Symptoms can include confusion or disorientation, shortness of breath, a high heart rate, fever, extreme pain or discomfort, and/or clammy or sweaty skin. Approximately 1.7 million adults develop sepsis, and approximately 270,000 adults die as a result of sepsis in the United States each year. According to the [American Academy of Pediatrics](#), approximately 75,000 infants and children develop sepsis each year, and approximately 7,000 infants and children die annually. CDC maintains sepsis [resources and guidelines](#) for implementation in hospitals.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 332 (Senators Lewis Young and Guzzone) - Finance.

Information Source(s): Maryland Department of Health; Department of Public Safety and Correctional Services; American Academy of Pediatrics; U.S. Centers for Disease Control and Prevention; Department of Legislative Services

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Analysis by: Amberly E. Holcomb

Direct Inquiries to:
(410) 946-5510
(301) 970-5510