

**House Bill 212 Criminal Procedure – Medical Emergency – Immunity**

Judiciary Committee

January 27, 2021

**Position: SUPPORT**

The Mental Health Association of Maryland is the state’s only volunteer, nonprofit citizen’s organization that brings together consumers, families, professionals, advocates and concerned citizens for unified action in all aspects of mental health and mental illness. We appreciate this opportunity to present testimony in support of House Bill 212.

Maryland’s Good Samaritan law encourages people who witness an overdose to call 911 by providing immunity from arrest, charge, or prosecution for several minor drug and alcohol offenses if the related evidence was obtained solely as a result of the person’s seeking, providing, or assisting with the provision of medical assistance. However, the effectiveness of this law is limited because callers may still be detained or prosecuted in connection with an outstanding warrant for another nonviolent crime, which discourages some bystanders from seeking medical assistance. HB 212 extends Good Samaritan immunity to protect against such detention or prosecution.

The public health and safety threat from drug- and alcohol-related intoxication continues to grow. Americans are now more likely to die from opioid overdoses than car crashes<sup>1</sup>. Maryland has made progress in recent years to address this epidemic, but we are still in the midst of a crisis that is devastating families across the state. Over 2,100 Marylanders lost their lives to an opioid-related death in 2019.<sup>2</sup>

The coronavirus pandemic has made matters even worse. In a survey from the Centers for Disease Control and Prevention, over 13% of respondents said they have started or increased their substance use to cope with stress from the pandemic.<sup>3</sup> Maryland drug- and alcohol-related deaths jumped by more than 18% in the second quarter of 2020 as compared to the same period a year earlier, including a 30% increase in opioid-related deaths.

Maryland’s Good Samaritan law is a critical component in our effort to combat this overdose crisis. Expanding the statute as outlined in HB 212 is a critical next step in this battle. For this reason, MHAMD supports HB 212, and urges a favorable report.

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<sup>1</sup> <https://www.nsc.org/in-the-newsroom/for-the-first-time-were-more-likely-to-die-from-accidental-opioid-overdose-than-motor-vehicle-crash>

<sup>2</sup> Maryland Opioid Operational Command Center 2019 Annual Report.  
[https://health.maryland.gov/vsa/Documents/Overdose/REV\\_Annual\\_2019\\_Drug\\_Intox\\_Report.pdf](https://health.maryland.gov/vsa/Documents/Overdose/REV_Annual_2019_Drug_Intox_Report.pdf)

<sup>3</sup> <https://www.cdc.gov/mmwr/volumes/69/wr/mm6932a1.htm>

*For more information, please contact Dan Martin at (410) 978-8865*