



Maryland
Hospital Association

**Senate Bill 447 -
Hospitals - Emergency Medical Conditions - Procedures**

Position: *Oppose*
February 11, 2025
Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in opposition of Senate Bill 447 as introduced.

SB 447 as introduced seeks to codify the Emergency Medical Treatment and Labor Act (EMTALA) into state law. This important federal law ensures that anyone who comes to a hospital in an emergency is provided with treatment. This includes the emergency abortion treatment this bill is intended to protect. Hospitals in Maryland are not opposed to EMTALA and fully support and abide by these long-standing federal requirements.

Hospitals are opposed to the duplicative nature of codifying federal law into state law and the confusion that will be caused by conflicting federal and state standards. The existing federal law and proposed state law do not align. There are differences in definitions, scope, and penalties that hospitals would have to navigate and adhere to.

While we understand the sponsor's well-intentioned concerns about potential federal and court action, EMTALA has a comprehensive regulatory structure and clear guidance for hospitals that have been understood and followed since 1986 when the law was passed. Additionally, Maryland already has strong protections over access to abortion services. As introduced, the bill would lead to confusion and uncertainty without adding to those existing strong protections. We wish to avoid any unnecessary, unintended consequences that could disrupt the delivery of care in Maryland.

MHA acknowledges and appreciates that the sponsor has expressed an intention to rewrite the bill to address some of the concerns raised above. We welcome the opportunity to be at the table for discussions with the sponsor and stakeholders about what a revised, more focused bill would look like. For these reasons, we request an unfavorable report on SB 447 as introduced.

For more information, please contact:
Natasha Mehu, Vice President, Government Affairs & Policy
Nmehu@mhaonline.org