J3 0lr1743

By: Delegates K. Young, Bagnall, Carr, Feldmark, Guyton, Kaiser, Kerr, R. Lewis, Love, Moon, Palakovich Carr, Shetty, Stewart, Terrasa, and Wilkins

Introduced and read first time: January 20, 2020 Assigned to: Health and Government Operations

## A BILL ENTITLED

4	A TAT	AOM	•
1	AN	ACT	concerning

## Health Care Facilities – Hospitals and Related Institutions – Discrimination Protections

- 4 FOR the purpose of altering the actions with regard to which hospitals and related 5 institutions are prohibited from discriminating against individuals on certain 6 grounds; altering the characteristics of an individual on the basis of which hospitals 7 and related institutions are prohibited from discriminating against the individual in 8 certain actions; prohibiting, under certain circumstances, hospitals and related 9 institutions from discriminating with regard to certain actions against an individual 10 because of the treatment or procedure sought by the individual; and generally 11 relating to discrimination protections regarding actions by hospitals and related 12 institutions.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Health General
- 15 Section 19–355
- 16 Annotated Code of Maryland
- 17 (2019 Replacement Volume)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20 Article Health General
- 21 19–355.
- 22 (a) A hospital or related institution may not discriminate in **ADMITTING OR** 23 providing [personal] care for an individual because of [the]:



1		<b>(1)</b>	THE	IND	IVIDUAL'S	s race,	SEX, S	SEXUAL	ORIENTAT	ION,	GENDER
2	IDENTITY,	RELIG	ION	OR	CREED,	CITIZE	NSHIP,	, AGE,	PHYSICAL	OR	MENTAL

- 3 DISABILITY, GENETIC INFORMATION, color, or national origin [of the individual] OR
- 4 ANCESTRY; OR
- 5 (2) THE TREATMENT OR PROCEDURE SOUGHT BY THE INDIVIDUAL, IF 6 THE TREATMENT OR PROCEDURE IS:
- 7 (I) 1. CAPABLE OF BEING EXECUTED BY THE HOSPITAL OR 8 RELATED INSTITUTION; AND
- 9 2. ACCOMPANIED BY A REFERRAL SUBJECT TO TITLE 1
  10 OF THE HEALTH OCCUPATIONS ARTICLE; OR
- 11 (II) OTHERWISE DETERMINED TO BE MEDICALLY NECESSARY.
- 12 (b) The Commission on Civil Rights shall enforce this section as provided in Title 13 20 of the State Government Article.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.