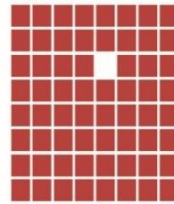




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Maryland Chapter
**AMERICAN COLLEGE OF
EMERGENCY PHYSICIANS**

TO: The Honorable Joseph F. Vallario, Jr., Chair
Members, House Judiciary Committee
The Honorable Jazz Lewis

FROM: Richard A. Tabuteau
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 15, 2018

RE: **SUPPORT** – House Bill 799 – *Criminal Procedure – Medical Emergency – Immunity*

The Maryland State Medical Society (MedChi) and the Maryland Chapter of the American College of Emergency Physicians (MDACEP), submit this letter of **support** for House Bill 799.

House Bill 799 specifies that a person who is experiencing a medical emergency after ingesting or using alcohol or drugs is immune from criminal arrest, charge, or prosecution for violations relating to drug possession, drug paraphernalia, and underage alcohol consumption if the evidence for criminal prosecution was obtained solely as a result of the person seeking or receiving medical assistance. The bill also clarifies that existing prohibitions against sanctioning a person for violation of pretrial release, probation, or parole apply to a person who is experiencing a medical emergency after ingesting alcohol or drugs.

This bill removes the requirement of “reasonable belief” of a medical emergency in order to bring more clarity to the immunity laws. If a drug user fears prosecution for illicit drug usage, they will be dissuaded from seeking emergency medical assistance when experiencing an overdose. This may result in avoidable fatal overdoses or nonfatal severe and traumatic physical or mental harm. MedChi and MDACEP urge a favorable report.

For more information call:

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