



The Maryland State Medical Society

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TO: The Honorable Peter A. Hammen, Chairman
Members of the House Health & Government Operations Committee

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise

DATE: February 14, 2006

RE: **SUPPORT THE CONCEPT** – House Bill 319 – *Health – Advance Directives – Registry – Drivers’ Licenses and Identification Cards*

The Maryland State Medical Society (MedChi) which represents over 7,200 Maryland physicians and their patients supports the concept of House Bill 319.

House Bill 319 establishes a program permitting individuals to voluntarily register advance directives with the Department of Health and Mental Hygiene. An advance directive would be held by the Department and made available via an electronic database to either the registrant’s designee or “representatives of a health care facility in which the registrant is receiving” care.

MedChi, while supportive of the idea of a voluntary registry, also believes that HB 319 overlooks a number of practical limitations. First, it may be extremely difficult for health care facilities to be assured quick and easy access to the electronic database. On the other hand, easy access is not consistent with the high level of confidentiality that people expect with regard to these very personal documents. Furthermore, ensuring that the advance directive accessed by the healthcare facility is the most recent version of the directive may prove difficult, given the administrative delays that would be inherent in keeping the registry and database current. These delays could result in adverse consequences including liability on the part of the healthcare facility or healthcare practitioner.

For these reasons, MedChi supports the concept embraced by House Bill 319 but believes this measure needs further study and consideration before it is adopted.

For further information call:

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