

HOUSE BILL 404

E4

4lr0718
CF SB 190

By: **Delegates Woods, Alston, Anderton, Bagnall, Boaf, Chang, Crutchfield, Cullison, Davis, Harris, Harrison, Healey, Henson, Ivey, Kaufman, Kerr, J. Long, McCaskill, Pasteur, Pena-Melnyk, Roberson, Roberts, Simpson, Taveras, Taylor, Turner, Valderrama, Wilkins, ~~and Williams~~ Williams, Cardin, Toles, Schmidt, Phillips, and Conaway**

Introduced and read first time: January 18, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2024

CHAPTER _____

1 AN ACT concerning

2 **~~Law Enforcement~~ Public Safety – Wellness Checks – Requirements**
3 **(Gabriel’s Law)**

4 FOR the purpose of requiring a law enforcement agency or fire, rescue, or emergency
5 medical services entity that receives a certain request for a wellness check of an
6 individual to ~~immediately~~ conduct a wellness check or submit a request for the
7 relevant law enforcement agency or fire, rescue, or emergency medical services entity
8 to conduct a wellness check without unreasonable delay; and generally relating to
9 law enforcement agencies, fire, rescue, or emergency medical services entities, and
10 wellness checks.

11 BY adding to
12 Article – Public Safety
13 Section 3–531 and 7–405
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2023 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **3-531.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) “INTERESTED PARTY” MEANS A HEALTH CARE PRACTITIONER, AS
5 DEFINED IN § 19-144(3) OF THE HEALTH – GENERAL ARTICLE, OR ANOTHER
6 INTERESTED PERSON WHO HAS SUFFICIENT INFORMATION TO INFORM A LAW
7 ENFORCEMENT AGENCY OF ANOTHER INDIVIDUAL’S HEALTH-RELATED CONDITION
8 OR CIRCUMSTANCE THAT REPRESENTS A LIFE-THREATENING EMERGENCY.

9 ~~(2)~~ (3) “QUALIFIED REQUEST” MEANS AN ORAL OR WRITTEN
10 REQUEST THAT INCLUDES SUFFICIENT CREDIBLE INFORMATION REGARDING A
11 SPECIFIC LIFE-THREATENING CONCERN FOR IMMEDIATE ACTION OR RESPONSE OF
12 A LIFE-THREATENING CONDITION.

13 ~~(3)~~ (4) “WELLNESS CHECK” MEANS AN IN-PERSON VISIT BY A LAW
14 ENFORCEMENT OFFICER CONCERNING THE WELL-BEING OF AN INDIVIDUAL.

15 (B) (1) IF A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED
16 REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL
17 LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE LAW
18 ENFORCEMENT AGENCY SHALL ~~IMMEDIATELY~~ CONDUCT A WELLNESS CHECK OF
19 THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

20 (2) IF A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED
21 REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL
22 WHO IS NOT LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE
23 LAW ENFORCEMENT AGENCY SHALL ~~IMMEDIATELY~~ SUBMIT A REQUEST TO THE
24 RELEVANT LAW ENFORCEMENT AGENCY IN THE STATE OR ANOTHER STATE TO
25 CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL WITHOUT UNREASONABLE
26 DELAY.

27 (C) A LAW ENFORCEMENT AGENCY THAT RECEIVES A QUALIFIED REQUEST
28 UNDER THIS SECTION SHALL MEET THE REQUIREMENTS OF SUBSECTION (B) OF THIS
29 SECTION REGARDLESS OF WHERE THE ~~INDIVIDUAL OR ENTITY~~ INTERESTED PARTY
30 MAKING THE QUALIFIED REQUEST IS LOCATED.

31 **7-405.**

32 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
33 INDICATED.

1 (2) “INTERESTED PARTY” MEANS A HEALTH CARE PRACTITIONER, AS
2 DEFINED IN § 19-144(3) OF THE HEALTH – GENERAL ARTICLE, OR ANOTHER
3 INTERESTED PERSON WHO HAS SUFFICIENT INFORMATION TO INFORM A FIRE,
4 RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OF ANOTHER INDIVIDUAL’S
5 HEALTH-RELATED CONDITION OR CIRCUMSTANCE THAT REPRESENTS A
6 LIFE-THREATENING EMERGENCY.

7 (3) “QUALIFIED REQUEST” HAS THE MEANING STATED IN § 3-531 OF
8 THIS ARTICLE.

9 (4) “WELLNESS CHECK” MEANS AN IN-PERSON VISIT BY A
10 FIREFIGHTER, A RESCUE SQUAD MEMBER, OR EMERGENCY SERVICES PERSONNEL
11 CONCERNING THE WELL-BEING OF AN INDIVIDUAL.

12 (B) (1) IF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY
13 RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS
14 CHECK OF AN INDIVIDUAL LOCATED IN THE FIRE, RESCUE, OR EMERGENCY MEDICAL
15 SERVICES ENTITY’S JURISDICTION, THE FIRE, RESCUE, OR EMERGENCY MEDICAL
16 SERVICES ENTITY SHALL CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL
17 WITHOUT UNREASONABLE DELAY.

18 (2) IF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY
19 RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS
20 CHECK OF AN INDIVIDUAL WHO IS NOT LOCATED IN THE FIRE, RESCUE, OR
21 EMERGENCY MEDICAL SERVICES ENTITY’S JURISDICTION, THE FIRE, RESCUE, OR
22 EMERGENCY MEDICAL SERVICES ENTITY SHALL SUBMIT A REQUEST TO THE
23 RELEVANT FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY IN THIS
24 STATE OR ANOTHER STATE TO CONDUCT A WELLNESS CHECK ON THE INDIVIDUAL
25 WITHOUT UNREASONABLE DELAY.

26 (C) A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY THAT
27 RECEIVES A QUALIFIED REQUEST UNDER THIS SECTION SHALL MEET THE
28 REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION REGARDLESS OF WHERE THE
29 INTERESTED PARTY MAKING THE QUALIFIED REQUEST IS LOCATED.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2024.