

Chapter 109

(House Bill 775)

AN ACT concerning

Correctional Services – Death of Incarcerated Individual – Notification

FOR the purpose of requiring the Commissioner of Correction to notify certain persons whenever an incarcerated individual dies while in the custody of the Division of Correction; requiring the Department of Public Safety and Correctional Services to adopt certain regulations; and generally relating to deaths of incarcerated individuals.

BY adding to

Article – Correctional Services

Section 9–602.2

Annotated Code of Maryland

(2017 Replacement Volume and 2024 Supplement)

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

Article – Correctional Services**9–602.2.**

(A) WHENEVER AN INCARCERATED INDIVIDUAL DIES IN A DIVISION OF CORRECTION FACILITY, THE COMMISSIONER OF CORRECTION SHALL NOTIFY THE FOLLOWING PERSONS:

(1) THE STATE DELEGATES AND STATE SENATOR REPRESENTING THE LEGISLATIVE DISTRICT WHERE THE FACILITY IS LOCATED;

(2) THE LEGISLATIVE BODY OF THE COUNTY WHERE THE FACILITY IS LOCATED OR THE BALTIMORE CITY COUNCIL, IF THE FACILITY IS LOCATED IN BALTIMORE CITY; AND

(3) THE CHIEF EXECUTIVE OF THE COUNTY WHERE THE FACILITY IS LOCATED OR THE MAYOR OF BALTIMORE CITY, IF THE FACILITY IS LOCATED IN BALTIMORE CITY.

(B) THE NOTIFICATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION:

(1) SHALL INCLUDE THE CAUSE OF DEATH OF THE DECEASED INCARCERATED INDIVIDUAL; AND

(2) MAY NOT INCLUDE PROTECTED HEALTH INFORMATION OF THE DECEASED INCARCERATED INDIVIDUAL.

(C) THE DEPARTMENT SHALL ADOPT REGULATIONS COMPLIANT WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved by the Governor, April 22, 2025.