

Chapter 743

(House Bill 404)

AN ACT concerning

Law Enforcement Public Safety – Wellness Checks – Requirements
(Gabriel’s Law)

FOR the purpose of requiring a law enforcement agency ~~or fire, rescue, or emergency medical services entity~~ that receives a certain request for a wellness check of an individual to ~~immediately~~ conduct a wellness check or submit a request for the relevant law enforcement agency ~~or fire, rescue, or emergency medical services entity~~ to conduct a wellness check without unreasonable delay; requiring a fire, rescue, or emergency medical services entity to conduct the wellness check simultaneously with the law enforcement agency if the request concerns a life-threatening condition; and generally relating to law enforcement agencies, fire, rescue, or emergency medical services entities, and wellness checks.

BY adding to

Article – Public Safety

Section 3–531 ~~and 7–405~~

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

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

Article – Public Safety**3–531.**

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

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

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

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

(B) (1) ~~IF SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF~~ A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE LAW ENFORCEMENT AGENCY SHALL ~~IMMEDIATELY~~ CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

(2) ~~IF SUBJECT TO SUBSECTION (C) OF THIS SECTION, IF~~ A LAW ENFORCEMENT AGENCY RECEIVES A QUALIFIED REQUEST FROM AN INTERESTED PARTY FOR A WELLNESS CHECK OF AN INDIVIDUAL WHO IS NOT LOCATED IN THE LAW ENFORCEMENT AGENCY’S JURISDICTION, THE LAW ENFORCEMENT AGENCY SHALL ~~IMMEDIATELY~~ SUBMIT A REQUEST TO THE RELEVANT LAW ENFORCEMENT AGENCY IN THE STATE OR ANOTHER STATE TO CONDUCT A WELLNESS CHECK OF THE INDIVIDUAL WITHOUT UNREASONABLE DELAY.

(C) IF THE INTERESTED PARTY STATES IN THE QUALIFIED REQUEST THAT THERE IS A CONCERN FOR A LIFE-THREATENING CONDITION, THEN A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY SHALL CONDUCT THE WELLNESS CHECK SIMULTANEOUSLY WITH THE LAW ENFORCEMENT AGENCY.

~~(C)~~ (D) A LAW ENFORCEMENT AGENCY AND, IF APPLICABLE, A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY, THAT RECEIVES A QUALIFIED REQUEST UNDER THIS SECTION SHALL MEET THE REQUIREMENTS OF ~~SUBSECTION (B) OF THIS SECTION~~ REGARDLESS OF WHERE THE ~~INDIVIDUAL OR ENTITY~~ INTERESTED PARTY MAKING THE QUALIFIED REQUEST IS LOCATED.

~~7-405.~~

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

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

~~(3) "QUALIFIED REQUEST" HAS THE MEANING STATED IN § 3-531 OF THIS ARTICLE.~~

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

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

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

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

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

Approved by the Governor, May 16, 2024.