

HOUSE BILL 737

J1

5l2464
CF 5l3143

By: **Delegate Bagnall**

Introduced and read first time: January 27, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Nonopioid Advance Directives**

3 FOR the purpose of authorizing a competent individual to make a nonopioid advance
4 directive stating that the individual refuses the offer or administration of opioid
5 medication including during an emergency; requiring the Maryland Department of
6 Health to develop a model nonopioid advance directive form and make the form
7 available on the Department’s website; and generally relating to nonopioid advance
8 directives.

9 BY adding to

10 Article – Health – General

11 Section 5–602.2

12 Annotated Code of Maryland

13 (2023 Replacement Volume and 2024 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **5–602.2.**

18 **(A) A COMPETENT INDIVIDUAL MAY MAKE A NONOPIOID ADVANCE**
19 **DIRECTIVE STATING THAT THE INDIVIDUAL REFUSES THE OFFER OR**
20 **ADMINISTRATION OF ANY OPIOID MEDICATION INCLUDING DURING AN EMERGENCY**
21 **WHERE THE INDIVIDUAL IS UNABLE TO COMMUNICATE THE INDIVIDUAL’S**
22 **PREFERENCE REGARDING THE USE OF OPIOIDS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) AN INDIVIDUAL MAKING A NONOPIOID ADVANCE DIRECTIVE**
2 **SHALL FOLLOW THE PROCEDURES FOR MAKING AN ADVANCE DIRECTIVE PROVIDED**
3 **UNDER § 5-602 OF THIS SUBTITLE.**

4 **(2) THE PROCEDURES PROVIDED UNDER § 5-604 OF THIS SUBTITLE**
5 **FOR THE REVOCATION OF AN ADVANCE DIRECTIVE SHALL APPLY TO THE**
6 **REVOCATION OF A NONOPIOID ADVANCE DIRECTIVE.**

7 **(C) THE DEPARTMENT SHALL DEVELOP A MODEL NONOPIOID ADVANCE**
8 **DIRECTIVE FORM AND MAKE THE FORM AVAILABLE ON THE DEPARTMENT'S**
9 **WEBSITE.**

10 **(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
11 **SECTION.**

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