

## **Meeting Minutes**

### **Council on Serious Illness Care**

**Date:** February 10, 2025

**Time:** 10:00 AM - 10:41 AM

**Chair:** Dr. Christopher Kearney

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#### **Attendance:**

- Christopher Kearney (Chair)
  - Erik Mathes (MDOA)
  - Sabrina Chase (MDH)
  - Brett Felter (MDH, Attorney General's Office)
  - Dan Morhaim
  - Don DAquila
  - Peggy Funk
  - M. Jane Markley
  - Gail S. Mansell
  - Joanne Ogaitis (MDH, Office of Healthcare Quality)
  - Sadie Peters (MDH)
  - NaToya Mitchell (Sen. Ellis's Chief of Staff)
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#### **Agenda:**

1. Discussion of HB737 - Non-Opioid Advanced Directive Bill
  2. Review and consideration of council response
  3. Next steps and submission of council statement
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#### **Discussion Summary:**

##### **HB737 Overview:**

- The bill proposes a non-opioid advanced directive, allowing individuals to refuse opioid treatment, including in emergencies where they cannot communicate.

- The bill is backed by lobbyist John Fiestro, representing Haleon (formerly part of GlaxoSmithKline), which manufactures non-opioid alternatives such as Advil and Voltarol.
- Concerns were raised about the bill's intent, clinical implications, and potential confusion in Maryland's advanced directive system.

#### **Council Concerns and Opposition:**

- **Clinical Impact:**
  - Multiple members, including physicians and pharmacists, noted that opioids are essential for end-of-life and emergency pain management.
  - Non-steroidal alternatives (NSAIDs) can pose significant risks for vulnerable populations (e.g., renal, GI complications).
  - Existing Maryland law already allows individuals to refuse opioid treatments in advance directives.
- **Confusion and Redundancy:**
  - The bill would create unnecessary complications within the advanced directive process.
  - Council members stressed the importance of clear and streamlined directives instead of introducing fragmented forms.
- **Stakeholder Positions:**
  - The Maryland Hospice & Palliative Care Network and the State Medical Society both oppose HB737.
  - Some states (e.g., Alabama, Connecticut, Mississippi, Louisiana) have passed similar legislation, but Maryland stakeholders remain unconvinced of its necessity.
- **Regulatory Concerns:**
  - Lack of clarity on how the Maryland Department of Health (MDH) would implement regulations for non-opioid directives.
  - No explicit guidance in the bill on provider obligations and patient protections.

#### **Council Decision:**

- Motion proposed by Christopher Kearney to formally oppose HB737 and request an unfavorable report in committee.
- Seconded by M. Jane Markley.
- No opposition recorded.
- The council will draft and submit a formal opposition letter to the House Government Operations Committee and Delegate Bagnell.

**Next Steps:**

- Christopher Kearney and Dan Morhaim to finalize the opposition letter.
- Brett Felter to review the letter for clarity and proper language.
- Submission deadline for testimony: **Monday, February 17th** (two business days before the hearing).

**Meeting Adjourned: 10:41 AM**

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