

HOUSE BILL 1131

J1, J2, J3

6lr1172

By: **Delegates Lopez, Alston, Behler, Crutchfield, Feldmark, Foley, D. Jones, Kerr, Lehman, Lewis, Martinez, Mireku–North, Palakovich Carr, Patterson, Shetty, Solomon, Spiegel, Terrasa, White Holland, Wilkins, Wims, Wolek, and Woorman**

Introduced and read first time: February 11, 2026

Assigned to: Judiciary and Health

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Pregnancy Loss – Prohibited Actions**
3 **(Pregnancy Outcome Protection Act)**

4 FOR the purpose of prohibiting individuals who experienced a pregnancy loss from being
5 subject to investigation, civil liability, or criminal prosecution except under certain
6 circumstances; establishing a private right of action for a violation of a certain
7 prohibition against investigations of pregnancy loss; providing that an incidence of
8 pregnancy loss does not constitute probable cause to issue a certain search warrant,
9 except under certain circumstances; prohibiting certain providers from being subject
10 to investigation, criminal penalty, or civil liability for supporting a patient who is
11 experiencing a pregnancy loss or after a pregnancy loss; prohibiting certain providers
12 from reporting on or disclosing a certain medical record related to pregnancy loss,
13 except under certain circumstances; and generally relating to prohibited actions
14 related to pregnancy loss.

15 BY adding to

16 Article – Health – General
17 Section 20–217 through 20–220 to be under the new part “Part V. Pregnancy Loss”
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2025 Supplement)

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

22 **Article – Health – General**

23 **20–215. RESERVED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **20–216. RESERVED.**

2 **PART V. PREGNANCY LOSS.**

3 **20–217.**

4 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (B) “INVESTIGATING ENTITY” INCLUDES:

7 (1) A LAW ENFORCEMENT AGENCY;

8 (2) THE DEPARTMENT OF JUVENILE SERVICES;

9 (3) THE SOCIAL SERVICES ADMINISTRATION WITHIN THE
10 DEPARTMENT OF HUMAN SERVICES OR A LOCAL DEPARTMENT OF SOCIAL
11 SERVICES; OR

12 (4) CHILD PROTECTIVE SERVICES WITHIN THE DEPARTMENT OF
13 HUMAN SERVICES OR A LOCAL DEPARTMENT OF CHILD PROTECTIVE SERVICES.

14 (C) (1) “PREGNANCY LOSS” MEANS THE UNINTENTIONAL OR
15 INTENTIONAL DEATH OF A FETUS OR EMBRYO DURING PREGNANCY OR LABOR.

16 (2) “PREGNANCY LOSS” INCLUDES A MISCARRIAGE, A STILLBIRTH,
17 AND A SELF-MANAGED ABORTION.

18 (3) “PREGNANCY LOSS” DOES NOT INCLUDE A DEATH THAT OCCURS
19 AFTER A LIVE BIRTH.

20 (D) “PROVIDER” MEANS:

21 (1) A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE
22 AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH
23 CARE IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION;

24 (2) A FACILITY WHERE HEALTH CARE IS PROVIDED TO PATIENTS OR
25 RECIPIENTS, INCLUDING:

26 (I) A FACILITY AS DEFINED IN § 10–101(G) OF THIS ARTICLE;

1 (II) A HOSPITAL AS DEFINED IN § 19-301 OF THIS ARTICLE;

2 (III) A RELATED INSTITUTION AS DEFINED IN § 19-301 OF THIS
3 ARTICLE;

4 (IV) A FACILITY AT WHICH SERVICES COVERED BY A HEALTH
5 MAINTENANCE ORGANIZATION, AS DEFINED IN § 19-701(G) OF THIS ARTICLE, ARE
6 PROVIDED;

7 (V) AN OUTPATIENT CLINIC;

8 (VI) A MEDICAL LABORATORY;

9 (VII) A COMPREHENSIVE CRISIS RESPONSE CENTER;

10 (VIII) A CRISIS STABILIZATION CENTER; AND

11 (IX) A CRISIS TREATMENT CENTER ESTABLISHED UNDER §
12 7.5-207 OF THIS ARTICLE; OR

13 (3) AN INDIVIDUAL WHO PROVIDES DOULA SERVICES AS DEFINED
14 UNDER § 15-141.4 OF THIS ARTICLE.

15 20-218.

16 (A) AN INDIVIDUAL WHO EXPERIENCED A PREGNANCY LOSS MAY NOT BE
17 SUBJECT TO INVESTIGATION, CIVIL LIABILITY, OR CRIMINAL PROSECUTION FOR
18 EXPERIENCING A PREGNANCY LOSS UNLESS:

19 (1) THERE IS INDEPENDENT EVIDENCE OF CRIMINAL CONDUCT
20 UNRELATED TO THE PREGNANCY OR PREGNANCY LOSS; OR

21 (2) AN INVESTIGATING ENTITY OBTAINS THE CONSENT OF THE
22 INDIVIDUAL THAT EXPERIENCED THE PREGNANCY LOSS TO INVESTIGATE
23 SUSPECTED CRIMINAL CONDUCT OF ANOTHER PERSON RELATED TO THE
24 PREGNANCY OR PREGNANCY LOSS.

25 (B) IF AN INDIVIDUAL WHO EXPERIENCED PREGNANCY LOSS IS SUBJECT TO
26 AN INVESTIGATION IN VIOLATION OF SUBSECTION (A) OF THIS SECTION, THE
27 INDIVIDUAL MAY BRING A CIVIL ACTION AGAINST THE INVESTIGATING ENTITY.

1 (C) AN INCIDENCE OF A PREGNANCY LOSS DOES NOT CONSTITUTE
2 PROBABLE CAUSE TO ISSUE A SEARCH WARRANT UNDER § 1-203 OF THE CRIMINAL
3 PROCEDURE ARTICLE UNLESS:

4 (1) THERE IS INDEPENDENT EVIDENCE OF CRIMINAL CONDUCT
5 UNRELATED TO THE PREGNANCY OR PREGNANCY LOSS; OR

6 (2) THE PERSON SEEKING THE SEARCH WARRANT OBTAINS THE
7 CONSENT OF THE INDIVIDUAL THAT EXPERIENCED A PREGNANCY LOSS TO
8 INVESTIGATE THE SUSPECTED CRIMINAL CONDUCT OF ANOTHER PERSON RELATED
9 TO THE PREGNANCY OR PREGNANCY LOSS.

10 **20-219.**

11 (A) SUBJECT TO GENERALLY ACCEPTED MEDICAL STANDARDS, A PROVIDER
12 ACTING WITHIN THE PROVIDER'S SCOPE OF PRACTICE MAY NOT BE SUBJECT TO
13 INVESTIGATION, CRIMINAL PENALTY, OR CIVIL LIABILITY FOR SUPPORTING A
14 PATIENT WHO IS EXPERIENCING A PREGNANCY LOSS OR AFTER A PREGNANCY LOSS.

15 (B) A PROVIDER MAY NOT REPORT A PREGNANCY LOSS OR DISCLOSE ANY
16 PORTION OF A MEDICAL RECORD, AS DEFINED UNDER § 4-301 OF THIS ARTICLE,
17 RELATED TO A PREGNANCY LOSS UNLESS:

18 (1) THERE IS CLEAR EVIDENCE OF EXTERNAL ABUSE OR COERCION
19 RELATED TO THE PREGNANCY LOSS;

20 (2) THERE IS INDEPENDENT EVIDENCE OF CRIMINAL CONDUCT
21 UNRELATED TO THE PREGNANCY LOSS; OR

22 (3) THE PROVIDER FIRST OBTAINS THE CONSENT OF THE INDIVIDUAL
23 THAT EXPERIENCED THE PREGNANCY LOSS.

24 **20-220.**

25 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A
26 PROVIDER, AN INVESTIGATING ENTITY, OR ANY OTHER PERSON WHO KNOWINGLY
27 AND WILLFULLY VIOLATES § 20-218 OR § 20-219 OF THIS SUBTITLE IS GUILTY OF A
28 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING:

29 (1) \$1,000 FOR THE FIRST OFFENSE; AND

30 (2) \$5,000 FOR EACH SUBSEQUENT OFFENSE.

1 **(B) A PROVIDER, AN INVESTIGATING ENTITY, OR ANY OTHER PERSON WHO**
2 **KNOWINGLY, WILLFULLY, AND UNDER FALSE PRETENSES OR THROUGH DECEPTION**
3 **VIOLATES § 20-218 OR § 20-219 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR**
4 **AND ON CONVICTION IS SUBJECT TO THE FOLLOWING PENALTIES:**

5 **(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$50,000 OR**
6 **IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH; AND**

7 **(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT**
8 **EXCEEDING \$100,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2026.