

SENATE BILL 270

D4

(PRE-FILED)

4lr0131

CF 4lr0132

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Human Services)**

Requested: September 18, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Adult Protective Services – Review Boards – Membership and Terms**

3 FOR the purpose of altering provisions relating to the membership of, and the terms of
4 members appointed to, adult public guardianship review boards; and generally
5 relating to adult protective services.

6 BY repealing and reenacting, with amendments,

7 Article – Family Law

8 Section 14–402

9 Annotated Code of Maryland

10 (2019 Replacement Volume and 2023 Supplement)

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

13 **Article – Family Law**

14 14–402.

15 (a) (1) Each review board consists of [11] 8 members **RECRUITED AND**
16 appointed:

17 (i) by the county commissioners;

18 (ii) in Baltimore City, by the Mayor with the advice and consent of
19 the City Council;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iii) in any county that has a county executive, by the county executive with the advice and consent of the county council; or

(iv) if 2 or more counties have agreed to establish a multicounty review board, jointly by the appropriate officials of the counties served by the board.

(2) Of the [11] 8 members:

(i) 1 shall be a professional representative of a local department;

[(ii) 1. in counties other than St. Mary's County or Washington County:

A.] (II) 1 shall be a physician's assistant, nurse practitioner, **REGISTERED NURSE**, or physician who is not a psychiatrist; [and]

[B.] (III) 1 shall be a psychiatrist, **A PSYCHIATRIC NURSE PRACTITIONER, OR A PROFESSIONAL WITH EXPERTISE IN PRESCRIBING OR OVERSIGHT OF MENTAL HEALTH MEDICATIONS**; [and

2. in St. Mary's County and Washington County:

A. 1 shall be a physician's assistant, nurse practitioner, or physician who is not a psychiatrist; and

B. 1 shall be a psychiatrist or psychologist;

[(iii)] (IV) 1 shall be a representative of a local commission on aging;

[(iv)] (V) 1 shall be a professional representative of a local nonprofit social service organization;

[(v)] (VI) 1 shall be a lawyer;

[(vi)] (VII) [2] 1 shall be A lay [individuals] **INDIVIDUAL**; AND

[(vii) 1 shall be a registered nurse;]

(viii) 1 shall be a professional in the field of disabilities[; and] **OR A PERSON WITH A DISABILITY**.

[(ix) 1 shall be a person with a physical disability.]

(b) (1) Except as provided in paragraph [(3)] **(2)** of this subsection, the term of a member is 3 years.

1 [(2) The terms of members are staggered as required by the terms provided
2 for members of the review board on October 1, 1984.

3 (3)] (2) In Charles County, the term of a member is 4 years.

4 [(4)] (3) At the end of a term, a member [continues to serve until a
5 successor is appointed and qualifies] **MAY SERVE FOR ANOTHER TERM ON**
6 **APPOINTMENT.**

7 [(5)] (4) A member who is appointed after a term has begun serves only
8 for the rest of the term and until a successor is appointed and qualifies.

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