

SENATE BILL 1042

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7lr3395
CF HB 1383

By: ~~Senator Feldman~~ Senators Feldman, Astle, Benson, Hershey, Jennings,
Klausmeier, Mathias, Middleton, Oaks, Reilly, and Rosapepe

Introduced and read first time: February 13, 2017

Assigned to: Rules

Re-referred to: Finance, February 15, 2017

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2017

CHAPTER _____

1 AN ACT concerning

2 **Behavioral Health Administration – Outpatient Civil Commitment Pilot**
3 **Program**

4 FOR the purpose of authorizing the Behavioral Health Administration to establish an
5 outpatient civil commitment pilot program for certain individuals; requiring the
6 Administration to adopt certain criteria, establish certain requirements, and specify
7 certain rights under the pilot program; requiring the Administration, under certain
8 circumstances, to submit a certain report to certain committees of the General
9 Assembly on or before a certain date each year the pilot program is in existence;
10 stating the intent of the General Assembly; and generally relating to an outpatient
11 civil commitment pilot program.

12 BY adding to
13 Article – Health – General
14 Section 7.5–205.1
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2016 Supplement)

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

19 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



7.5–205.1.

(A) THE ADMINISTRATION MAY ESTABLISH AN OUTPATIENT CIVIL COMMITMENT PILOT PROGRAM TO ALLOW FOR THE RELEASE OF AN INDIVIDUAL WHO IS INVOLUNTARILY ADMITTED FOR INPATIENT TREATMENT UNDER § 10–632 OF THIS ARTICLE ON CONDITION OF THE INDIVIDUAL’S ADMISSION INTO THE PILOT PROGRAM.

(B) IF THE ADMINISTRATION ESTABLISHES A PILOT PROGRAM UNDER SUBSECTION (A) OF THIS SECTION, THE ADMINISTRATION SHALL:

(1) ADOPT CRITERIA AN INDIVIDUAL MUST MEET IN ORDER TO BE ADMITTED INTO THE PILOT PROGRAM;

(2) ESTABLISH APPLICATION, HEARING, AND NOTICE REQUIREMENTS; AND

(3) SPECIFY THE RIGHTS OF AN INDIVIDUAL WHO MAY BE OR WHO HAS BEEN ADMITTED INTO THE PILOT PROGRAM.

(C) IF THE ADMINISTRATION ESTABLISHES A PILOT PROGRAM UNDER SUBSECTION (A) OF THIS SECTION, ON OR BEFORE DECEMBER 1 EACH YEAR THE PILOT PROGRAM IS IN EXISTENCE, THE ADMINISTRATION SHALL SUBMIT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, A REPORT THAT INCLUDES:

(1) THE NUMBER OF INDIVIDUALS ADMITTED INTO THE PILOT PROGRAM DURING THE IMMEDIATELY PRECEDING 12–MONTH PERIOD;

(2) THE NUMBER OF APPLICATIONS FOR ADMISSION INTO THE PILOT PROGRAM SUBMITTED DURING THE IMMEDIATELY PRECEDING 12–MONTH PERIOD;

(3) THE COST OF ADMINISTERING THE PILOT PROGRAM FOR THE IMMEDIATELY PRECEDING 12–MONTH PERIOD;

(4) THE PERCENTAGE OF INDIVIDUALS ADMITTED INTO THE PILOT PROGRAM WHO ADHERED TO THE TREATMENT PLAN ESTABLISHED FOR THE INDIVIDUAL UNDER THE PILOT PROGRAM;

(5) TREATMENT OUTCOMES;

1 **(6) THE TYPE, INTENSITY, AND FREQUENCY OF SERVICES PROVIDED**
2 **TO INDIVIDUALS ADMITTED INTO THE PILOT PROGRAM; AND**

3 **(7) ANY OTHER INFORMATION THAT MAY BE USEFUL IN**
4 **DETERMINING WHETHER A PERMANENT OUTPATIENT CIVIL COMMITMENT PROCESS**
5 **SHOULD BE ESTABLISHED.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
7 Assembly:

8 (1) to improve services for individuals in Baltimore City who have a serious
9 mental illness and have not been well-served by the public behavioral health system
10 through the establishment of the Outpatient Civil Commitment Pilot Program under §
11 7.5–205.1 of the Health – General Article, as enacted by Section 1 of this Act;

12 (2) that eligible individuals committed involuntarily to an inpatient
13 psychiatric hospital and referred to the Outpatient Civil Commitment Pilot Program
14 receive a comprehensive range of evidence-based and client-centered behavioral health
15 and social services and supports in the community, either through voluntary engagement
16 with, or through involuntary commitment as a condition of release to, the Outpatient Civil
17 Commitment Pilot Program;

18 (3) that the Outpatient Civil Commitment Pilot Program be funded
19 through federal funding from the federal Substance Abuse and Mental Health Services
20 Administration that will be directed to select behavioral health programs regulated by the
21 Department of Health and Mental Hygiene to provide services delivered under the
22 Outpatient Civil Commitment Pilot Program; and

23 (4) that robust evaluation components be included as part of the
24 Outpatient Civil Commitment Pilot Program to:

25 (i) provide a thorough review of program effectiveness, achieve a
26 better understanding of why individuals fail to engage in or discontinue community
27 behavioral health care services, and gauge differences in outcomes between those who
28 participate in the Outpatient Civil Commitment Pilot Program voluntarily and
29 involuntarily; and

30 (ii) inform effective planning to implement community services that
31 better serve State residents living with a serious mental illness who do not engage
32 voluntarily in treatment, discontinue care, or are otherwise not well-served by currently
33 available community behavioral health services and supports.

34 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
35 1, 2017.