

SENATE BILL 350

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2001 Regular Session  
11r1355  
CF 11r2434

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By: **Senators DeGrange and Hollinger**  
Introduced and read first time: February 1, 2001  
Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 6, 2001

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CHAPTER 375

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Alcohol Abuse and Drug**  
3 **Treatment Programs**

4 FOR the purpose of requiring certain drug and alcohol abuse treatment programs to  
5 obtain certification from the Department of Health and Mental Hygiene before  
6 providing services; and generally relating to alcohol and drug abuse treatment  
7 programs.

8 BY repealing and reenacting, with amendments,  
9 Article - Health - General  
10 Section 8-403  
11 Annotated Code of Maryland  
12 (2000 Replacement Volume)

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

15 **Article - Health - General**

16 8-403.

17 (a) In this section, "alcohol abuse and drug abuse treatment program":

18 (1) Means any individual or organization that provides treatment, care,  
19 or rehabilitation for individuals who show the effects of drug abuse or alcohol abuse,  
20 and represents or advertises itself as an alcohol abuse or drug abuse treatment  
21 program; and

1           (2)       Includes a program or facility that is owned or operated by this State  
2 or any of its political subdivisions.

3       (b)       Except as otherwise provided in this section, an alcohol abuse and drug  
4 abuse treatment program shall be certified by the Department before program  
5 services may be provided in this State.

6       (c)       This section does not apply to:

7           (1)       A health professional licensed under the Health Occupations Article  
8 who is treating patients within the scope of the professional's practice and who does  
9 not advertise the practice as an alcohol abuse or drug abuse program;

10          (2)       Alcoholics Anonymous, Narcotics Anonymous, transitional housing  
11 programs, or other similar organizations, if the organization holds meetings or  
12 provides support services to help individuals who show the effects of drug abuse or  
13 alcohol abuse; or

14          (3)       An employees' assistance program of a business entity.

15       (d)       Unless requested, the certification requirements of this section do not  
16 apply to [the following facilities:

17           (1)       A]A hospital as defined in § 19-301 of this article accredited by the  
18 Joint Commission on Accreditation of Hospitals with a separately accredited alcohol  
19 and drug abuse program[; and

20           (2)       An alcohol abuse and drug abuse treatment program accredited by  
21 the Joint Commission on Accreditation of Hospitals].

22       (e)       An intermediate care facility, alcoholic (type C or D), shall be certified as  
23 an intermediate care alcohol abuse and drug abuse treatment facility.

24       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2001.