
By: **Delegates Oaks, Carter, and Murray**
Introduced and read first time: February 21, 2005
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health - Drug Abuse Treatment Programs - Zoning**

3 FOR the purpose of authorizing certain drug abuse treatment programs to locate in
4 certain zoning areas; prohibiting the subjection of certain drug abuse treatment
5 programs to certain exceptions, permits, or procedures; providing for the
6 resolution of certain conflicts; defining certain terms; and generally relating to
7 the zoning of drug abuse treatment programs that administer medication as
8 treatment.

9 BY adding to
10 Article - Health - General
11 Section 8-406
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2004 Supplement)

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

16 **Article - Health - General**

17 8-406.

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (2) "DRUG ABUSE TREATMENT PROGRAM" HAS THE MEANING STATED IN
21 § 8-403 OF THIS SUBTITLE.

22 (3) "HEALTH CARE PRACTITIONER" MEANS ANY INDIVIDUAL WHO IS
23 LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH
24 OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES.

25 (B) A DRUG ABUSE TREATMENT PROGRAM THAT ADMINISTERS
26 PHARMACOLOGICAL INTERVENTIONS INCLUDING METHADONE AND LAAM TO
27 PROVIDE TREATMENT, SUPPORT, AND RECOVERY TO OPIOID-ADDICTED PATIENTS

1 MAY LOCATE IN THE SAME ZONING AREA AS AN OFFICE FOR ONE OR MORE HEALTH
2 CARE PRACTITIONERS THAT PROVIDE OUTPATIENT TREATMENT.

3 (C) A DRUG ABUSE TREATMENT PROGRAM UNDER SUBSECTION (B) OF THIS
4 SECTION MAY NOT BE SUBJECT TO ANY SPECIAL EXCEPTION, CONDITIONAL USE
5 PERMIT, OR PROCEDURE THAT DIFFERS FROM THAT REQUIRED FOR AN OFFICE FOR
6 ONE OR MORE HEALTH CARE PRACTITIONERS THAT PROVIDES OUTPATIENT
7 TREATMENT.

8 (D) A GENERAL ZONING ORDINANCE, RULE, OR REGULATION OF A POLITICAL
9 SUBDIVISION THAT CONFLICTS WITH THE PROVISIONS OF THIS SECTION OR A RULE
10 OR REGULATION THAT CARRIES OUT THE PURPOSE OF THIS SECTION IS
11 SUPERSEDED BY THIS SECTION TO THE EXTENT OF A CONFLICT.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 2005.