

HOUSE BILL 1171

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9lr0824

By: **Delegates Howard, Bagnall, Chisholm, Krebs, Malone, and Saab**

Introduced and read first time: February 8, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol and Drug Abuse Program Facilities – ASAM Criteria Assessments**

3 FOR the purpose of requiring a certified alcohol and drug abuse program facility to provide
4 a patient with a copy of certain records on the patient’s request; requiring the
5 members of a certain assessment team to meet with the patient for a certain purpose;
6 requiring a certain facility to send certain application records to a certain treatment
7 provider within a certain period of time under certain circumstances; requiring a
8 certain treatment provider to provide certain referrals to certain other treatment
9 providers; authorizing a patient to request that a certain individual be designated as
10 the patient’s personal representative to advocate and speak for the patient for a
11 certain purpose; requiring certain persons to sign a certain discharge plan before a
12 patient is discharged; defining a certain term; and generally relating to ASAM
13 criteria assessments in alcohol and drug abuse program facilities.

14 BY adding to

15 Article – Health – General

16 Section 8–408

17 Annotated Code of Maryland

18 (2015 Replacement Volume and 2018 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

20 That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 **8–408.**

23 (A) IN THIS SECTION, “ASAM CRITERIA” MEANS THE NATIONALLY
24 RECOGNIZED COMPREHENSIVE GUIDELINES ESTABLISHED BY THE AMERICAN
25 SOCIETY OF ADDICTION MEDICINE FOR THE ASSESSMENT OF THE PLACEMENT,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CONTINUED STAY, TRANSFER, AND DISCHARGE OF PATIENTS WITH ADDICTION AND
2 CO-OCCURRING CONDITIONS.

3 (B) A CERTIFIED ALCOHOL AND DRUG ABUSE PROGRAM FACILITY SHALL
4 PROVIDE A PATIENT WITH A COPY OF THE PATIENT'S TREATMENT RECORDS ON THE
5 REQUEST OF THE PATIENT.

6 (C) WITHIN 72 HOURS AFTER COMPLETING AN ASAM CRITERIA
7 ASSESSMENT, THE MEMBERS OF A PATIENT'S ASAM CRITERIA ASSESSMENT TEAM
8 SHALL MEET WITH THE PATIENT TO EXPLAIN OR CLARIFY THE PATIENT'S
9 ASSESSMENT, INCLUDING:

10 (1) HOW THE ASSESSMENT RESULTS AFFECT DISCHARGE PLANNING;

11 (2) THE PATIENT'S DISCHARGE OPTIONS BASED ON THE RESULTS OF
12 THE ASSESSMENT; AND

13 (3) THE TREATMENT PROVIDERS SPECIFIED FOR THE PATIENT'S
14 NEXT LEVEL OF CARE.

15 (D) IF THE RESULTS OF A PATIENT'S ASAM CRITERIA ASSESSMENT
16 INDICATE THAT A PATIENT SHOULD RECEIVE RESIDENTIAL TREATMENT OR
17 TREATMENT IN A HALFWAY HOUSE, THE CERTIFIED ALCOHOL AND DRUG ABUSE
18 PROGRAM FACILITY SHALL SEND THE APPROPRIATE APPLICATION RECORDS TO THE
19 TREATMENT PROVIDER OF THE PATIENT'S NEXT LEVEL OF CARE WITHIN 72 HOURS
20 AFTER COMPLETING THE ASSESSMENT.

21 (E) THE PATIENT'S TREATMENT PROVIDER AT THE CERTIFIED ALCOHOL
22 AND DRUG ABUSE PROGRAM FACILITY SHALL PROVIDE DIRECT PATIENT
23 REFERRALS TO ANY OTHER TREATMENT PROVIDERS SPECIFIED IN THE RESULTS OF
24 THE PATIENT'S ASAM CRITERIA ASSESSMENT AND THE PATIENT'S DISCHARGE
25 PLAN.

26 (F) A PATIENT MAY REQUEST THAT AN INDIVIDUAL OF THE PATIENT'S
27 CHOOSING BE DESIGNATED AS THE PATIENT'S PERSONAL REPRESENTATIVE TO
28 ADVOCATE AND SPEAK FOR THE PATIENT FOR THE PURPOSE OF CREATING A
29 DISCHARGE PLAN BASED ON THE RESULTS OF THE PATIENT'S ASAM CRITERIA
30 ASSESSMENT.

31 (G) THE PATIENT AND THE PATIENT'S TREATMENT PROVIDER SHALL SIGN
32 THE PATIENT'S DISCHARGE PLAN BEFORE THE PATIENT MAY BE DISCHARGED.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2019.

