



**OPPOSITION TO
HB 860 - Mental Health Law - Petitions for Emergency Evaluation
Before the
House Health and Judiciary Committees**

February 13, 2026

The Silver Spring Justice Coalition (SSJC) urges you to **oppose** HB 860 because the bill would substantially increase the chances that the emergency evaluatee does not, as of the date of the petition to extend the emergency evaluation petition (EEP), present a danger to the life or safety of the individual or of others.

The Bill Would Deprive People of Their Civil Rights Without Current Information

The bill will harm some of the most vulnerable people in our communities because the bill does not require the petitioner to present fresh evidence (i.e., evidence obtained since the initial petition was granted) that the emergency evaluatee remains a danger to themselves or others. As written, the bill indicates that an EEP can be extended up to 30 days after the initial petition's expiration without fresh evidence that the subject remains a danger to themselves or others.

We all know that a person's mental state, and particularly a person having a mental health crisis, can rapidly change, depending on numerous circumstances. An event that may have triggered a mental health crisis may have resolved within a matter of hours to the point that the emergency evaluatee ceases to be a danger to themselves or others.¹ But under the bill, fresh evidence of the evaluatee's mental state is not

¹ See, e.g.: [Mapping the timescale of suicidal thinking, D. Coppersmith PNAS \(2023\)](#); [The duration of the suicidal process: how much time is left for intervention between consideration and accomplishment of a suicide attempt?](#) E. Deisenhammer. J Clin Psychiatry (Jan 2009).

required. To perpetuate an EEP based solely on a motion to extend the EEP without knowing the subject's current mental health status (rather than the subject's status 30 days ago or more) is an unjustified constitutional short cut and an unwarranted deprivation of a person's liberty in these most delicate situations.

Not all EEPs are Sought for Altruistic Motives

SSJC is also deeply troubled by the prospect of this bill extending the time for police to execute EEPs from the current five days to up to 30 days. While some EEPs are filed by sincere, loving family members solely because of their concern for their loved one – that isn't always the case. When we spoke to a deputy sheriff from Prince George's County, we were told that EEPs are filed for all sorts of perverse reasons, such as a person who didn't want to go for kidney dialysis, and other nefarious reasons such as taking control of the person's assets.

The Bill Will Further Overload Hospitals

Creating a shortcut for EEPs will further overload already overburdened hospital psychiatric departments, which cannot cope with the current patient load. See the [Maryland Hospital Association's 2019 study](#).

Conclusions and Recommendations

We urge the committee to issue an unfavorable report on the bill and to recommend that the administration undertake a complete review of the EEP process, including the percentage of EEPs that cannot be executed in the first five days, the reasons persons seek EEPs, the number of EEPs that are re-applied for because the subject cannot be found, the length of time it takes for a person to be evaluated, the frequency with which EEPs are found to be unwarranted, and why only police must transport subjects of EEPs.

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