
By: Senators Hollinger, Blount, Collins, Pinsky, Sfikas, and Teitelbaum

Introduced and read first time: January 25, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol and Drug Abuse Treatment - Inmates - State Funding**

3 FOR the purpose of requiring that inmates in State or local correctional facilities who
4 have an alcohol or drug dependence be placed in treatment programs under
5 specified circumstances; making a certain exception; requiring that certain
6 procedures and standards be subject to certain regulations; requiring the State
7 Alcohol and Drug Abuse Administration to adopt certain regulations; requiring the
8 State to provide funding for the provision of alcohol and drug abusetreatment
9 under specified circumstances; and generally relating to State funding for alcohol
10 and drug abuse treatment of inmates in State and local correctional facilities.

11 BY adding to

12 Article - Health - General
13 Section 8-6A-01 to be under the new subtitle "Subtitle 6A. Alcohol Abuse and
14 Drug Abuse Treatment for Inmates"
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1995 Supplement)

17 Preamble

18 WHEREAS, Many studies have indicated that substance abuse constitutes one of
19 the major contributing factors to criminal activity, including violent crimes and property
20 crimes; and

21 WHEREAS, A study by the pretrial release program in Baltimore City estimated
22 that 70% of those arrested tested positive for drug use; and

23 WHEREAS, There is a 6-month waiting period in the State to receive drug
24 treatment; and

25 WHEREAS, Alcohol and drug abuse treatment programs constitute a good
26 investment of public funds yielding a significant return; and

27 WHEREAS, The benefits of alcohol and drug abuse treatment programs justify the
28 use of scarce public funds to pay for these programs; and

29 WHEREAS, The results of a landmark 1992 study in California of the effectiveness
30 and benefits of alcohol and drug abuse treatment programs in Californiaindicated three

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1 major findings: (1) there is a \$7 return for every dollar invested in these programs; (2)
2 criminal activities of individuals who have an alcohol or drug abuse dependence
3 significantly declined after the completion of treatment; and (3) significant improvements
4 in health and corresponding reductions in hospitalizations of individuals were found
5 during and after treatment; now, therefore,

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

8 **Article - Health - General**

9 SUBTITLE 6A. ALCOHOL ABUSE AND DRUG ABUSE TREATMENT FOR INMATES.

10 8-6A-01.

11 (A) IN THIS SECTION, "ALCOHOL ABUSE AND DRUG ABUSE TREATMENT
12 PROGRAM" HAS THE MEANING STATED IN § 8-403(A) OF THIS SUBTITLE.

13 (B) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (C) OF THIS SECTION,
14 AN INMATE DETAINED IN A LOCAL OR STATE CORRECTIONAL FACILITY WHO IS
15 DETERMINED BY A PHYSICIAN LICENSED UNDER § 14-301 OF THE HEALTH
16 OCCUPATIONS ARTICLE TO HAVE AN ALCOHOL OR DRUG DEPENDENCE SHALL BE
17 PLACED IN AN APPROPRIATE ALCOHOL AND DRUG ABUSE TREATMENT PROGRAM
18 UNDER THE SUPERVISION OF THE PHYSICIAN.

19 (C) ANY TREATMENT PRESCRIBED MAY NOT COMMENCE UNTIL THE INMATE
20 TO BE TREATED HAS CONSENTED IN WRITING TO THE TREATMENT.

21 (D) ALL PROCEDURES AND STANDARDS RELATING TO THE DETERMINATION
22 OF AN ALCOHOL OR DRUG DEPENDENCE AND THE TREATMENT OF AN INMATE WHO
23 HAS AN ALCOHOL OR DRUG DEPENDENCE SHALL BE SUBJECT TO THE
24 REGULATIONS ADOPTED BY THE ADMINISTRATION.

25 (E) THE ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THE
26 PROVISIONS OF THIS SECTION.

27 (F) THE GOVERNOR SHALL PROVIDE FUNDING IN THE ANNUAL BUDGET FOR
28 THE PROVISION OF ALCOHOL AND DRUG ABUSE TREATMENT UNDER THIS SECTION.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1996.