

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 28

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State and Local” and substitute “Correctional”; in the same line, strike “Authorizing” and substitute “Authorization for”; and strike in their entirety lines 4 through 11, inclusive, and substitute:

“FOR the purpose of authorizing certain officers of certain correctional facilities, on the recommendation of a health care provider, to authorize medical treatment of a juvenile inmate of a correctional facility under certain circumstances; specifying that liability may not attach to certain officers of certain correctional facilities for authorizing medically necessary treatment of a juvenile inmate under certain circumstances; defining a certain term; and generally relating to the authorization for medical treatment of juvenile inmates in correctional facilities.”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 12 through 16, inclusive, and substitute:

“BY adding to

Article 27 - Crimes and Punishments

Section 700J

Annotated Code of Maryland

(1996 Replacement Volume)

BY repealing and reenacting, without amendments,

Article 31B - Patuxent Institution

Section 1(a), (e), and (h)

Annotated Code of Maryland

(1997 Replacement Volume)

(Over)

BY adding to

Article 31B - Patuxent Institution  
Section 9A  
Annotated Code of Maryland  
(1997 Replacement Volume)".

AMENDMENT NO. 3

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 21 on page 2, inclusive, and substitute:

"700J.

(A) IN THIS SECTION, "CHIEF OFFICER OF A CORRECTIONAL FACILITY" MEANS:

(1) THE ADMINISTRATOR OR ADMINISTRATOR'S DESIGNEE OF A LOCAL DETENTION CENTER; OR

(2) THE WARDEN OR WARDEN'S DESIGNEE OF AN INSTITUTION UNDER THE JURISDICTION OF THE COMMISSIONER OF CORRECTION.

(B) (1) ON THE RECOMMENDATION OF A HEALTH CARE PROVIDER, THE CHIEF OFFICER OF A CORRECTIONAL FACILITY MAY AUTHORIZE MEDICAL TREATMENT OF A JUVENILE INMATE WHEN IN THE JUDGMENT OF THE CHIEF OFFICER THE TREATMENT IS NECESSARY AND A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE JUVENILE IS NOT AVAILABLE ON A TIMELY BASIS TO GIVE THE AUTHORIZATION.

(2) LIABILITY MAY NOT ATTACH TO THE CHIEF OFFICER OF A CORRECTIONAL FACILITY FOR AUTHORIZING IN GOOD FAITH THE MEDICALLY NECESSARY TREATMENT.

Article 31B - Patuxent Institution

1.

(a) In this article, the following words have the meanings indicated unless the context clearly requires otherwise.

(e) "Director" means the director of Patuxent Institution.

(h) "Institution" means the Patuxent Institution.

9A.

(A) ON THE RECOMMENDATION OF A HEALTH CARE PROVIDER, THE DIRECTOR OF THE INSTITUTION OR THE DESIGNEE OF THE DIRECTOR MAY AUTHORIZE MEDICAL TREATMENT OF A JUVENILE INMATE WHEN IN THE JUDGMENT OF THE DIRECTOR OR THE DESIGNEE THE TREATMENT IS NECESSARY AND A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE JUVENILE IS NOT AVAILABLE ON A TIMELY BASIS TO GIVE THE AUTHORIZATION.

(B) LIABILITY MAY NOT ATTACH TO THE DIRECTOR OR THE DESIGNEE OF THE DIRECTOR FOR AUTHORIZING IN GOOD FAITH THE MEDICALLY NECESSARY TREATMENT."