

(PRE-FILED)

By: Chairman, Finance Committee (Departmental - Health and Mental Hygiene)

Requested: November 8, 1996

Introduced and read first time: January 8, 1997

Assigned to: Finance

Reassigned: Economic and Environmental Affairs, January 9, 1997

Committee Report: Favorable

Senate action: Adopted

Read second time: February 11, 1997

CHAPTER ____

1 AN ACT concerning

2 **Disease Prevention - Tuberculosis**

3 FOR the purpose of allowing the Secretary of Health and Mental Hygiene to obtain a
4 court order to have an individual being treated for tuberculosis to be placed in a less
5 restrictive environment; allowing an individual imprisoned for violation of
6 tuberculosis treatment to be released and treated in a less restrictive environment
7 under certain circumstances; and generally relating to the treatment of tuberculosis.

8 BY repealing and reenacting, with amendments,
9 Article - Health - General
10 Section 18-325(c)
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1996 Supplement)

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

15 **Article - Health - General**

16 18-325.

17 (c) An individual who violates any provision of this section is guilty of a
18 misdemeanor and on conviction shall be imprisoned in a penal institution with facilities
19 for tuberculosis treatment until the Secretary or the Health Department of Baltimore
20 City finds that the condition of the individual no longer endangers the health of the
21 community[.], OR THE SECRETARY OBTAINS A COURT ORDER THAT STATES THAT
22 THE INDIVIDUAL:

2

1 (1) IS TO BE MOVED TO A SPECIFIED LESS RESTRICTIVE SETTING FOR
2 CONTINUATION OF TREATMENT;

3 (2) MUST COMPLY WITH THE TREATMENT UNTIL THE SECRETARY
4 DETERMINES THE TREATMENT HAS BEEN COMPLETED;

5 (3) MAY NOT BEHAVE IN A DISORDERLY MANNER OR LEAVE THE
6 PLACEMENT UNTIL THE SECRETARY DETERMINES THAT THE INDIVIDUAL HAS
7 COMPLETED THE TREATMENT; AND

8 (4) FOLLOWING A HEARING, WILL BE REIMPRISONED UNTIL THE
9 SECRETARY DETERMINES THAT THE INDIVIDUAL HAS COMPLETED THE
10 TREATMENT, IF THE INDIVIDUAL DOES NOT COMPLY WITH THE TERMS OF THE
11 ORDER.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1997.