
By: Senator Dorman

Introduced and read first time: January 31, 1997

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Compulsive Gambling**

3 FOR the purpose of requiring the Secretary of the Department of Health and Mental
4 Hygiene (DHMH) to establish an Office of Compulsive Gambling in DHMH for the
5 coordination of treatment for compulsive gamblers; altering provisions of law so as
6 to require the Secretary of DHMH to make certain grants relating to compulsive
7 gambling treatment programs; requiring the Secretary to adopt certain regulations
8 relating to compulsive gambling services; requiring the Secretary to appoint a
9 certain advisory committee within the Office of Compulsive Gambling; providing for
10 the membership, powers, and duties of the advisory committee; and generally
11 relating to services, programs, and funds for the treatment of compulsive gambling.

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 19-803 and 19-804
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 1996 Supplement)

17 BY adding to
18 Article - Health - General
19 Section 19-805 and 19-806
20 Annotated Code of Maryland
21 (1996 Replacement Volume and 1996 Supplement)

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

24 **Article - Health - General**

25 19-803.

26 [As a pilot project, the] THE Secretary shall establish [a center] AN OFFICE OF
27 COMPULSIVE GAMBLING IN THE DEPARTMENT FOR COORDINATION OF TREATMENT
28 for compulsive gamblers [at a place the Secretary determines to be accessible to a major
29 population center of this State].

2

1 19-804.

2 (a) (1) The Secretary [may] SHALL make grants from or agreements for the
3 use of State and federal funds to help public agencies or nonprofit organizations operate
4 the center for compulsive gamblers and establish and operate local programs to provide
5 the following for compulsive gamblers:

6 (i) Inpatient services[.];

7 (ii) Outpatient services[.];

8 (iii) Partial care services[.];

9 (iv) Aftercare services[.];

10 (v) Consultative services[.];

11 (vi) Educational services[.]; AND

12 (vii) Other preventative or rehabilitative services or treatment.

13 (2) Research and training that are designed to improve or extend these
14 services are proper items of expense.

15 (b) Services under this subtitle shall be provided by public agencies or, under
16 contract, by nonprofit organizations.

17 19-805.

18 THE SECRETARY SHALL:

19 (1) ADOPT REGULATIONS GOVERNING THE ELIGIBILITY OF LOCAL
20 COMPULSIVE GAMBLING PROGRAMS TO RECEIVE FUNDS UNDER THIS SUBTITLE;

21 (2) ADOPT REGULATIONS PRESCRIBING STANDARDS FOR
22 QUALIFICATIONS OF PERSONNEL AND THE QUALITY OF PROFESSIONAL SERVICES
23 RENDERED FOR LOCAL GAMBLING PROGRAMS SUPPORTED UNDER THIS SUBTITLE;

24 (3) ADOPT REGULATIONS GOVERNING ELIGIBILITY FOR COMPULSIVE
25 GAMBLING SERVICES, INCLUDING A PROVISION THAT INDIVIDUALS WHO SEEK
26 SERVICES UNDER THIS SUBTITLE MAY NOT BE DENIED THEM ON THE BASIS OF
27 THEIR INABILITY TO PAY;

28 (4) REVIEW AND EVALUATE LOCAL COMPULSIVE GAMBLING
29 PROGRAMS AND MAKE RECOMMENDATIONS TO IMPROVE THEM; AND

30 (5) EXERCISE ANY OTHER POWERS AND DUTIES THAT ARE NECESSARY
31 TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

32 19-806.

33 (A) (1) THE SECRETARY SHALL ESTABLISH A COMPULSIVE GAMBLING
34 ADVISORY COMMITTEE WITHIN THE OFFICE OF COMPULSIVE GAMBLING AND
35 APPOINT THE MEMBERS.

36 (2) THE ADVISORY COMMITTEE SHALL BE COMPOSED OF:

3

1 (I) A REPRESENTATIVE OF THE MARYLAND DEPARTMENT OF
2 EDUCATION;

3 (II) A REPRESENTATIVE OF THE MARYLAND DEPARTMENT OF
4 HUMAN RESOURCES;

5 (III) A MEMBER OF THE MARYLAND PSYCHOLOGICAL
6 ASSOCIATION;

7 (IV) A REPRESENTATIVE OF THE CLERGY OF A BONA FIDE
8 RELIGION;

9 (V) A REPRESENTATIVE OF THE LEGAL PROFESSION;

10 (VI) A REPRESENTATIVE OF THE MENTAL HEALTH
11 ADMINISTRATION OF THE DEPARTMENT;

12 (VII) A REPRESENTATIVE OF A LOCAL MENTAL HEALTH
13 ASSOCIATION; AND

14 (VIII) THREE CONSUMER MEMBERS.

15 (B) (1) THE TERM OF A MEMBER IS 3 YEARS.

16 (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
17 SUCCESSOR IS APPOINTED AND QUALIFIES.

18 (3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
19 ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED
20 AND QUALIFIES.

21 (4) A MEMBER MAY NOT BE APPOINTED FOR MORE THAN THREE
22 CONSECUTIVE 3-YEAR TERMS.

23 (C) THE SECRETARY MAY REMOVE A MEMBER OF THE ADVISORY
24 COMMITTEE FOR INCOMPETENCE, MISCONDUCT, NEGLIGENCE OF A DUTY REQUIRED
25 BY LAW, UNPROFESSIONAL CONDUCT, OR DISHONORABLE CONDUCT.

26 (D) (1) FROM AMONG ITS MEMBERS, THE ADVISORY COMMITTEE SHALL
27 ELECT A CHAIR, VICE CHAIR, AND A SECRETARY.

28 (2) THE MANNER OF ELECTION OF OFFICERS SHALL BE AS THE
29 ADVISORY COMMITTEE DETERMINES.

30 (3) THE ADVISORY COMMITTEE SECRETARY SHALL:

31 (I) KEEP A RECORD OF EACH BOARD MEETING; AND

32 (II) CERTIFY THE EXPENSES OF MEMBERS TO THE STATE FOR
33 REIMBURSEMENT.

34 (E) THE ADVISORY COMMITTEE HAS THE FOLLOWING POWERS AND DUTIES:

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1 (1) TO PERIODICALLY REVIEW THE AVAILABILITY AND QUALITY OF
2 SERVICES AND FACILITIES FOR THE TREATMENT OF INDIVIDUALS WHO ARE
3 COMPULSIVE GAMBLERS;

4 (2) TO DETERMINE LOCAL COMPULSIVE GAMBLING PROGRAM NEEDS;

5 (3) TO ADVISE AND REPORT ANNUALLY TO THE SECRETARY ON
6 PROGRESS OF COMPULSIVE GAMBLING PROGRAMS AND OF ACTIONS NEEDED TO
7 IMPROVE THEM;

8 (4) TO MAKE RECOMMENDATIONS FOR FUNDING SOURCES;

9 (5) TO MAKE RECOMMENDATIONS FOR APPROPRIATE ALLOCATION OF
10 FUNDS; AND

11 (6) WITH THE APPROVAL OF THE SECRETARY, TO PREPARE AND
12 PERIODICALLY REVISE A COMPREHENSIVE PLAN FOR COMPULSIVE GAMBLING
13 SERVICES, INCLUDING CONSIDERATION OF:

14 (I) AN INVENTORY OF COMPULSIVE GAMBLING RESOURCES IN
15 THE STATE;

16 (II) A STATEMENT OF THE NEEDS OF THE VARIOUS AREAS OF
17 SERVICES;

18 (III) PRIORITIZATION OF THE SERVICES NEEDED; AND

19 (IV) CRITERIA FOR IMPLEMENTING QUALITY PREVENTATIVE,
20 CONSULTATIVE, EDUCATIONAL, INPATIENT, OUTPATIENT, PARTIAL CARE, FULL
21 CARE, AND AFTERCARE COMPULSIVE GAMBLING SERVICES.

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