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SB 523/96 - FIN

1997 Regular Session
7lr2573

By: Senator Dorman

Introduced and read first time: January 31, 1997
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted with Floor amendments
Read second time: March 21, 1997

CHAPTER ____

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; providing for the
11 funding of the Office of Compulsive Gambling and the grant program under this
12 Act; and generally relating to services, programs, and funds for the treatment of
13 compulsive gambling.

14 BY repealing and reenacting, with amendments,
15 Article - Health - General
16 Section 19-803 and 19-804
17 Annotated Code of Maryland
18 (1996 Replacement Volume and 1996 Supplement)

19 BY adding to
20 Article - Health - General
21 Section 19-805 ~~and 19-806~~, 19-806, and 19-807
22 Annotated Code of Maryland
23 (1996 Replacement Volume and 1996 Supplement)

24 ~~BY repealing and reenacting, with amendments,~~

2

1 ~~Article State Government~~
2 ~~Section 9-122(f)(1) and (2)~~
3 ~~Annotated Code of Maryland~~
4 ~~(1995 Replacement Volume and 1996 Supplement)~~
5 ~~(As enacted by Chapter 505 of the Acts of the General Assembly of 1996)~~

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 ~~19-803.~~

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

14 ~~19-804.~~

15 ~~(a) (1) The Secretary [may] SHALL make grants from or agreements for the~~
16 ~~use of State and federal funds to help public agencies or nonprofit organizations operate~~
17 ~~the center for compulsive gamblers and establish and operate local programs to provide~~
18 ~~the following for compulsive gamblers AND THEIR FAMILIES:~~

19 ~~(i) Inpatient AND RESIDENTIAL services[.];~~

20 ~~(ii) Outpatient services[.];~~

21 ~~(iii) Partial care services[.];~~

22 ~~(iv) Aftercare services[.];~~

23 ~~(v) Consultative services[.];~~

24 ~~(vi) Educational services[.]; AND~~

25 ~~(VII) A 24 HOUR TOLL FREE STATEWIDE HOTLINE; AND~~

26 ~~(vii) (VIII) Other preventative or rehabilitative services or treatment.~~

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

29 ~~(b) Services under this subtitle shall be provided by public agencies or, under~~
30 ~~contract, by nonprofit organizations.~~

31 ~~19-805.~~

32 ~~THE SECRETARY SHALL:~~

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

1 ~~————— (2) ADOPT REGULATIONS PRESCRIBING STANDARDS FOR~~
2 ~~QUALIFICATIONS OF PERSONNEL AND THE QUALITY OF PROFESSIONAL SERVICES~~
3 ~~RENDERED FOR LOCAL COMPULSIVE GAMBLING PROGRAMS SUPPORTED UNDER~~
4 ~~THIS SUBTITLE;~~

5 ~~————— (3) ADOPT REGULATIONS GOVERNING ELIGIBILITY FOR COMPULSIVE~~
6 ~~GAMBLING SERVICES, INCLUDING A PROVISION THAT INDIVIDUALS WHO SEEK~~
7 ~~SERVICES UNDER THIS SUBTITLE MAY NOT BE DENIED THEM ON THE BASIS OF~~
8 ~~THEIR INABILITY TO PAY;~~

9 ~~————— (4) REVIEW AND EVALUATE LOCAL COMPULSIVE GAMBLING~~
10 ~~PROGRAMS AND MAKE RECOMMENDATIONS TO IMPROVE THEM; AND~~

11 ~~————— (5) EXERCISE ANY OTHER POWERS AND DUTIES THAT ARE NECESSARY~~
12 ~~TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.~~

13 49-806.

14 ~~——— (A) (1) THE SECRETARY SHALL ESTABLISH A COMPULSIVE GAMBLING~~
15 ~~ADVISORY COMMITTEE WITHIN THE OFFICE OF COMPULSIVE GAMBLING AND~~
16 ~~APPOINT THE MEMBERS.~~

17 ~~————— (2) THE ADVISORY COMMITTEE SHALL BE COMPOSED OF:~~

18 ~~————— (I) A REPRESENTATIVE OF THE MARYLAND DEPARTMENT OF~~
19 ~~EDUCATION;~~

20 ~~————— (II) A REPRESENTATIVE OF THE MARYLAND DEPARTMENT OF~~
21 ~~HUMAN RESOURCES;~~

22 ~~————— (III) A MEMBER OF THE MARYLAND PSYCHOLOGICAL~~
23 ~~ASSOCIATION;~~

24 ~~————— (IV) A REPRESENTATIVE OF THE CLERGY OF A BONA FIDE~~
25 ~~RELIGION;~~

26 ~~————— (V) A REPRESENTATIVE OF THE LEGAL PROFESSION;~~

27 ~~————— (VI) A REPRESENTATIVE OF THE MENTAL HEALTH~~
28 ~~ADMINISTRATION OF THE DEPARTMENT;~~

29 ~~————— (VII) A REPRESENTATIVE OF A LOCAL MENTAL HEALTH~~
30 ~~ASSOCIATION; AND~~

31 ~~————— (VIII) THREE CONSUMER MEMBERS.~~

32 ~~——— (B) (1) THE TERM OF A MEMBER IS 3 YEARS.~~

33 ~~————— (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A~~
34 ~~SUCCESSOR IS APPOINTED AND QUALIFIES.~~

35 ~~————— (3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES~~
36 ~~ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED~~
37 ~~AND QUALIFIES.~~

1 ~~————— (4) A MEMBER MAY NOT BE APPOINTED FOR MORE THAN THREE~~
2 ~~CONSECUTIVE 3 YEAR TERMS.~~

3 ~~————— (C) THE SECRETARY MAY REMOVE A MEMBER OF THE ADVISORY~~
4 ~~COMMITTEE FOR INCOMPETENCE, MISCONDUCT, NEGLECT OF A DUTY REQUIRED~~
5 ~~BY LAW, UNPROFESSIONAL CONDUCT, OR DISHONORABLE CONDUCT.~~

6 ~~————— (D) (1) FROM AMONG ITS MEMBERS, THE ADVISORY COMMITTEE SHALL~~
7 ~~ELECT A CHAIR, VICE CHAIR, AND A SECRETARY.~~

8 ~~————— (2) THE MANNER OF ELECTION OF OFFICERS SHALL BE AS THE~~
9 ~~ADVISORY COMMITTEE DETERMINES.~~

10 ~~————— (3) THE ADVISORY COMMITTEE SECRETARY SHALL:~~

11 ~~————— (I) KEEP A RECORD OF EACH BOARD MEETING; AND~~

12 ~~————— (II) CERTIFY THE EXPENSES OF MEMBERS TO THE STATE FOR~~
13 ~~REIMBURSEMENT.~~

14 ~~————— (E) THE ADVISORY COMMITTEE HAS THE FOLLOWING POWERS AND DUTIES:~~

15 ~~————— (1) TO PERIODICALLY REVIEW THE AVAILABILITY AND QUALITY OF~~
16 ~~SERVICES AND FACILITIES FOR THE TREATMENT OF INDIVIDUALS WHO ARE~~
17 ~~COMPULSIVE GAMBLERS;~~

18 ~~————— (2) TO DETERMINE LOCAL COMPULSIVE GAMBLING PROGRAM NEEDS;~~

19 ~~————— (3) TO ADVISE AND REPORT ANNUALLY TO THE SECRETARY ON~~
20 ~~PROGRESS OF COMPULSIVE GAMBLING PROGRAMS AND OF ACTIONS NEEDED TO~~
21 ~~IMPROVE THEM;~~

22 ~~————— (4) TO MAKE RECOMMENDATIONS FOR FUNDING SOURCES;~~

23 ~~————— (5) TO MAKE RECOMMENDATIONS FOR APPROPRIATE ALLOCATION OF~~
24 ~~FUNDS; AND~~

25 ~~————— (6) WITH THE APPROVAL OF THE SECRETARY, TO PREPARE AND~~
26 ~~PERIODICALLY REVISE A COMPREHENSIVE PLAN FOR COMPULSIVE GAMBLING~~
27 ~~SERVICES, INCLUDING CONSIDERATION OF:~~

28 ~~————— (I) AN INVENTORY OF COMPULSIVE GAMBLING RESOURCES IN~~
29 ~~THE STATE;~~

30 ~~————— (II) A STATEMENT OF THE NEEDS OF THE VARIOUS AREAS OF~~
31 ~~SERVICES;~~

32 ~~————— (III) PRIORITIZATION OF THE SERVICES NEEDED; AND~~

33 ~~————— (IV) CRITERIA FOR IMPLEMENTING QUALITY PREVENTATIVE,~~
34 ~~CONSULTATIVE, EDUCATIONAL, INPATIENT, OUTPATIENT, PARTIAL CARE, FULL~~
35 ~~CARE, AND AFTERCARE COMPULSIVE GAMBLING SERVICES.~~

5

1 ~~19-807.~~

2 ~~THE OFFICE OF COMPULSIVE GAMBLING AND GRANT PROGRAM ESTABLISHED~~
3 ~~UNDER §§ 19-803 AND 19-804 OF THIS SUBTITLE SHALL BE SUPPORTED WITH \$3,000,000~~
4 ~~OF REVENUE FROM THE UNCLAIMED STATE LOTTERY PRIZE FUND, AS PROVIDED~~
5 ~~UNDER § 9-122 OF THE STATE GOVERNMENT ARTICLE FUNDED AS PROVIDED IN THE~~
6 ~~STATE BUDGET.~~

7 ~~Article - State Government~~

8 ~~9-122.~~

9 ~~(f) (1) A prize winner shall claim a prize within 182 days after the drawing in~~
10 ~~which the prize is won.~~

11 ~~(2) Except as provided in paragraph (3) of this subsection, the Director shall~~
12 ~~keep an unclaimed prize:~~

13 ~~(i) for 182 days after the drawing in which the prize is won, for~~
14 ~~payment of the winner; and~~

15 ~~(ii) then in an unclaimed prize fund for use for other prizes, EXCEPT~~
16 ~~THAT \$3,000,000 SHALL BE USED TO SUPPORT THE OFFICE OF COMPULSIVE~~
17 ~~GAMBLING AND GRANT PROGRAM ESTABLISHED UNDER §§ 19-803 AND 19-804 OF~~
18 ~~THE HEALTH - GENERAL ARTICLE.~~

19 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
20 ~~October 1, 1997.~~