

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

Revised

Senate Bill 42

(Chairman, Finance Committee)

(Departmental – Health and Mental Hygiene)

Finance

Environmental Matters

Refusal of Psychiatric Medication - Clinical Review Panel

This departmental bill extends the termination date of certain provisions of law relating to the refusal of psychiatric medication to June 30, 2005 and requires the Secretary of Health and Mental Hygiene to report to the Governor and the General Assembly by January 1, 2004 recommending the re-establishment or termination of the law.

This bill takes effect June 1, 2001.

Fiscal Summary

State Effect: None. Extending the sunset provision would not affect State finances.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law: The Refusal of Psychiatric Medication – Clinical Review Panel Act of 1991 is scheduled to terminate June 30, 2001, and an evaluation report recommending the reestablishment or termination of the Act was required to be submitted to the General Assembly by January 1, 1999.

Background: The Act was enacted in its current form in 1991, and included a sunset provision that was extended by the General Assembly in 1993, 1995, and 1999. The Act provides for the creation and use of clinical review panels to authorize the administration of psychiatric medication to an individual without the individual's consent in an emergency, or if the individual is committed for treatment to the Department of Health and Mental Hygiene by court order or is involuntarily admitted to a State or private inpatient mental hygiene facility. An evaluation report of this Act was submitted to the General Assembly by the Department of Health and Mental Hygiene on December 30, 1998. The report recommended the reestablishment of the Act with no further sunset provision.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader –January 16, 2001
jm/jr Revised – Senate Third Reader – March 22, 2001

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