

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 1295 (Delegate Stocksdales)  
Environmental Matters

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**Mental Hygiene Law - Emergency Evaluations - Petitions and Procedures**

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This bill requires that a petition for an emergency evaluation of an individual may only be made if the petitioner has reason to believe that the individual has a mental disorder and there is clear and imminent danger of the individual's doing bodily harm to the individual or another based on the personal knowledge of the petitioner. If any required statements are missing from the petition, the petitioner is required to note in the petition the absence of the statement and include the reason that the statement is absent. The petitioner must be present and testify under oath at the hearing regarding the petition, and if appropriate, the court may contact the spouse or a child, parent, or other relative of the emergency evaluatee or any other individual who is interested in the emergency evaluatee.

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**Fiscal Summary**

**State Effect:** The bill would not substantively change State activities or operations.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** Within two hours of accepting an emergency evaluatee, if clinically appropriate, the emergency facility shall immediately contact the spouse, child, parent, or other relative of the emergency evaluatee or any other individual of the emergency evaluatee's choice.

A petitioner who acts in good faith and with reasonable cause has immunity from liability for their actions.

**Current Law:** A petition for an emergency evaluation of an individual does not have a personal knowledge requirement but may be made if the petitioner has reason to believe that the individual has a mental disorder and there is clear and imminent danger of the individual's doing bodily harm to the individual or another. No explanation is required if a statement is not included in the petition, and the petitioner is not required to be present or testify at the hearing on the petition. Any petitioner who submits or completes a petition is immune from liability.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Frederick County, Prince George's County, Judiciary (Administrative Office of the Courts), Department of Health and Mental Hygiene (Mental Health Administration), Department of Legislative Services

**Fiscal Note History:** First Reader – March 12, 2001  
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