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By: **Delegates Nathan-Pulliam, Kirk, Cole, Menes, Morhaim, A. Jones, and Paige**

Introduced and read first time: February 6, 2002

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Long-Term Residential Drug Treatment Pilot Program**

3 FOR the purpose of establishing a Long-Term Residential Drug Treatment Pilot  
4 Program in the Department of Health and Mental Hygiene as a program for  
5 treating substance abusers who are dually diagnosed with a mental disorder in  
6 a residential setting using a certain multidisciplinary approach; requiring the  
7 Alcohol and Drug Abuse Administration to design and administer the Program;  
8 providing for the purposes, components, and treatment model of the Program;  
9 providing for the enrollment of clients in the Program; authorizing the  
10 Administration to adopt certain regulations for the Program; establishing a  
11 Long-Term Residential Drug Treatment Trust Fund for certain purposes;  
12 requiring the Administration to study and report on certain matters to certain  
13 persons by a certain date of each year; declaring certain findings of the General  
14 Assembly; defining certain terms; requiring the Administration to identify and  
15 cooperate with certain persons in the planning and implementation of the Pilot  
16 Program, to prepare certain budgets and identify certain funding, and to  
17 identify certain property for certain purposes; requiring the Administration to  
18 report to the General Assembly on or before a certain date; and generally  
19 relating to the Long-Term Residential Drug Treatment Pilot Program.

20 BY repealing and reenacting, without amendments,  
21 Article - Health - General  
22 Section 8-401 and 8-402  
23 Annotated Code of Maryland  
24 (2000 Replacement Volume and 2001 Supplement)

25 BY adding to  
26 Article - Health - General  
27 Section 8-6D-01 through 8-6D-09, inclusive, to be under the new subtitle  
28 "Subtitle 6D. Long-Term Residential Drug Treatment Pilot Program"  
29 Annotated Code of Maryland  
30 (2000 Replacement Volume and 2001 Supplement)

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

3 **Article - Health - General**

4 8-401.

5 (a) The Administration shall:

6 (1) Promote, develop, establish, conduct, certify, and monitor programs  
7 for the prevention, treatment, and rehabilitation related to the misuse of alcohol and  
8 drugs;

9 (2) Promote and conduct training and research related to the misuse of  
10 alcohol and drugs; and

11 (3) (i) 1. In cooperation with the Motor Vehicle Administration,  
12 courts, police, and other agencies, the Administration shall approve appropriate  
13 programs of alcohol and drug abuse education or treatment for individuals who are  
14 convicted under § 21-902 of the Transportation Article.

15 2. The programs under this subparagraph shall be  
16 coordinated with and integrated into broad planning for comprehensive community  
17 health and welfare services.

18 (ii) The Administration shall:

19 1. Review and, in accordance with regulations that the  
20 Administration shall adopt, approve or disapprove each program that a public or  
21 private agency wants to offer under § 6-219(c) or § 6-220(c) of the Criminal Procedure  
22 Article;

23 2. Promptly give the Administrative Office of the Courts  
24 notice of each program approved under this subparagraph;

25 3. Monitor and biennially review each program approved  
26 under this subparagraph;

27 4. Investigate each complaint made in connection with a  
28 program; and

29 5. Promptly give the Administrative Office of the Courts  
30 notice if the Department withdraws its approval of any program.

31 (b) The Administration may:

32 (1) Develop pilot programs;

33 (2) For these purposes and notwithstanding any other law, establish,  
34 direct, and conduct any experimental pilot clinical program for the treatment of

1 alcohol or drug abusers, including any program to administer, under medical  
2 supervision and control, maintenance dosages of prescribed drugs;

3           (3)       Either alone or with other public or private agencies, direct and  
4 conduct basic research in alcohol or drug abuse, including clinical epidemiological,  
5 social science, and statistical research; and

6           (4)       In cooperation with the Department of Public Safety and Correctional  
7 Services or any other appropriate correctional agency, establish and maintain, in any  
8 correctional institution in this State, programs for the prevention and treatment of  
9 alcohol and drug abuse and for the rehabilitation of alcohol and drug abusers.

10 8-402.

11       (a)       The Administration shall:

12           (1)       Plan and encourage development of, and coordinate the facilities and  
13 services that offer treatment, care, or rehabilitation for alcohol and drug abusers; and

14           (2)       Adopt regulations:

15                   (i)       To set standards for treatment, care, and rehabilitation of  
16 alcohol and drug abusers; and

17                   (ii)       To ensure that before a facility is certified under this title to  
18 provide treatment, care, or rehabilitation of alcohol or drug abusers, an opportunity to  
19 comment, concerning whether the facility meets certification requirements, is  
20 provided to representatives of the county government and, if in a municipal  
21 corporation, the municipal government and to private citizens in the community  
22 where the facility is proposed to be located.

23       (b)       The Administration may establish and operate or identify facilities and  
24 services, including evaluation facilities to determine if an individual is a drug abuser  
25 or alcohol abuser or dependent on drugs or alcohol.

26       (c)       A facility that the Administration operates or contracts to be operated is a  
27 health facility and is not, for any purpose, a correctional institution.

28       (d)       An individual may not be discriminated against based on an inability to  
29 pay for any services provided by the Administration either directly or by contract.

30       (e)       To carry out the purposes of this title, the Administration may contract  
31 with any appropriate public or private agency that has proper and adequate  
32 treatment facilities, services, and staff.

33       (f)       (1)       The Administration shall evaluate the success and effectiveness of  
34 each alcohol abuse and drug abuse treatment program licensed or certified under this  
35 subtitle by performing outcome research studies on a representative sample of  
36 individuals who have received treatment under those programs to determine the  
37 extent to which the individuals:

1 (i) Have been successfully discharged from the treatment program;  
2 and

3 (ii) Have successfully controlled their alcohol and drug abuse  
4 problems after being discharged from the program.

5 (2) The Administration shall adopt any reasonable regulations necessary  
6 to permit the Administration to perform the outcome research studies required under  
7 paragraph (1) of this subsection.

8 (3) The outcome research studies shall be conducted in a manner to  
9 protect the confidentiality of the individual and in accordance with the provisions of  
10 Subtitle 6 of this title.

11 (4) The Administration shall establish an Alcohol and Drug Abuse  
12 Treatment Research Advisory Committee to:

13 (i) Develop the methodology necessary to conduct the outcome  
14 research studies; and

15 (ii) Advise the Administration on any reasonable regulations  
16 necessary to perform the outcome research studies in accordance with this subsection.

17 SUBTITLE 6D. LONG-TERM RESIDENTIAL DRUG TREATMENT PILOT PROGRAM.

18 8-6D-01.

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (B) "FUND" MEANS THE LONG-TERM RESIDENTIAL DRUG TREATMENT PILOT  
22 PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

23 (C) "PROGRAM" MEANS THE LONG-TERM RESIDENTIAL DRUG TREATMENT  
24 PILOT PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

25 (D) "TREATMENT" MEANS TREATMENT THAT IS RECEIVED IN AN ALCOHOL  
26 ABUSE AND DRUG ABUSE TREATMENT PROGRAM, AS DEFINED IN § 8-403 OF THIS  
27 TITLE, THAT IS ADMINISTERED BY THE ADMINISTRATION AS PART OF THE PROGRAM.

28 8-6D-02.

29 (A) THE GENERAL ASSEMBLY FINDS THAT:

30 (1) THE STATE RECOGNIZES THAT ALCOHOL AND DRUG ABUSE IS A  
31 PUBLIC HEALTH PROBLEM, AND THAT THIS SUBSTANCE ABUSE IS A DISEASE;

32 (2) SUBSTANCE ABUSERS WHO ARE DUALY DIAGNOSED WITH A  
33 MENTAL DISORDER PRESENT SPECIAL CHALLENGES FOR TREATMENT; AND

1 (3) SUBSTANCE ABUSE TREATMENT COUPLED WITH APPROPRIATE  
2 TREATMENT OF MENTAL DISORDERS FOR DUALY DIAGNOSED INDIVIDUALS WILL  
3 PROMOTE COMMUNITY SAFETY AND HEALTH, AND WILL CONSERVE APPROPRIATE  
4 PUBLIC RESOURCES IN THE LONG TERM.

5 (B) THE GENERAL ASSEMBLY SEEKS TO ESTABLISH, FOR ALCOHOL AND DRUG  
6 ABUSERS WHO ARE DUALY DIAGNOSED WITH A MENTAL DISORDER, A  
7 COMPREHENSIVE, LONG-TERM RESIDENTIAL PROGRAM OF UP TO 1 YEAR WITH UP  
8 TO 6 MONTHS OF FOLLOW-UP OUTPATIENT TREATMENT AND COMMUNITY  
9 SUPERVISION IN THE PROGRAM FOLLOWING RESIDENTIAL TREATMENT.

10 (C) THE GENERAL ASSEMBLY WISHES TO ENSURE THE USE OF A  
11 MULTIDISCIPLINARY TREATMENT APPROACH IN THE PROGRAM.

12 8-6D-03.

13 THERE IS A LONG-TERM RESIDENTIAL DRUG TREATMENT PILOT PROGRAM IN  
14 THE DEPARTMENT.

15 8-6D-04.

16 (A) THE ADMINISTRATION SHALL DESIGN AND ADMINISTER THE PROGRAM.

17 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE RESIDENTIAL  
18 TREATMENT OF UP TO 1 YEAR AND ADDITIONAL OUTPATIENT SUPPORT OF UP TO 6  
19 MONTHS, AS APPROPRIATE, USING A MULTIDISCIPLINARY TEAM TREATMENT MODEL  
20 FOR INDIVIDUALS WHO ARE ALCOHOL OR DRUG ABUSERS AND ARE DUALY  
21 DIAGNOSED WITH A MENTAL DISORDER.

22 (C) THE PROGRAM IS INTENDED TO ADDRESS THE PHYSICAL, MENTAL, AND  
23 EDUCATIONAL NEEDS OF ITS CLIENTS.

24 (D) AS A PILOT PROJECT, THE PROGRAM IS INTENDED TO ASSESS AND  
25 DEMONSTRATE THE BENEFITS OF LONG-TERM RESIDENTIAL TREATMENT IN A  
26 DEDICATED FACILITY WITH A MULTIDISCIPLINARY TEAM APPROACH IN ADDRESSING  
27 PROBLEMS OF RELAPSE INTO DRUG ABUSE AND MENTAL ILLNESS.

28 (E) (1) THE ADMINISTRATION SHALL SOLICIT AND MAY ACCEPT ANY GRANT,  
29 GIFT, LEGACY, OR ENDOWMENT OF MONEY AND OTHER RESOURCES FROM ANY  
30 PUBLIC OR PRIVATE SOURCE IN FURTHERANCE OF THE PROGRAM.

31 (2) THE ADMINISTRATION MAY ENTER INTO A PARTNERSHIP  
32 AGREEMENT OR JOINT VENTURE WITH A PRIVATE SOURCE IN FURTHERANCE OF THE  
33 PROGRAM.

34 8-6D-05.

35 (A) THE PROGRAM SHALL PROVIDE COMPREHENSIVE SUBSTANCE ABUSE  
36 TREATMENT, SUPPORT SERVICES, AND SUPERVISION OF CLIENTS FOR UP TO 18  
37 MONTHS, INCLUDING:

- 1 (1) SUBSTANCE ABUSE TREATMENT;
- 2 (2) PSYCHIATRIC INTERVENTION;
- 3 (3) VOCATIONAL AND EDUCATIONAL REHABILITATION, INCLUDING  
4 SPECIFIC JOB SKILL TRAINING AND ENHANCEMENT; AND
- 5 (4) CASE MANAGEMENT.

6 (B) THE PROGRAM SHALL PROVIDE TREATMENT TO CLIENTS USING A  
7 MULTIDISCIPLINARY THERAPEUTIC APPROACH THAT COMPLIES WITH ESTABLISHED  
8 PROGRAM CERTIFICATION REQUIREMENTS OF THE DEPARTMENT, AND INCLUDES AT  
9 LEAST:

- 10 (1) A PHYSICIAN;
- 11 (2) A PSYCHIATRIST;
- 12 (3) A REGISTERED NURSE;
- 13 (4) A PSYCHOLOGIST;
- 14 (5) A NURSE PSYCHOTHERAPIST;
- 15 (6) A SOCIAL WORKER;
- 16 (7) AN EDUCATOR;
- 17 (8) THREE CERTIFIED ADDICTIONS COUNSELORS; AND
- 18 (9) APPROPRIATE SECURITY PERSONNEL.

19 8-6D-06.

20 (A) THE PROGRAM SEEKS TO ENROLL APPROXIMATELY 50 ADULT CLIENTS  
21 EACH YEAR.

22 (B) CLIENTS ADMITTED TO THE PROGRAM SHALL BE DUALY DIAGNOSED,  
23 REQUIRING TREATMENT FOR SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES.

24 (C) THE PROGRAM SHALL ACCEPT CLIENTS ON A FIRST-COME, FIRST-SERVED  
25 BASIS, SUBJECT TO SCREENING FOR COMPATIBILITY WITH THE PROGRAM.

26 8-6D-07.

27 (A) THERE IS A LONG-TERM RESIDENTIAL DRUG TREATMENT TRUST FUND.

28 (B) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO §  
29 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

1 (C) THE PURPOSE OF THE FUND IS TO PROVIDE CAPITAL AND OPERATING  
2 RESOURCES FOR THE PROGRAM.

3 (D) THE FUNDS CONSIST OF:

4 (1) MONEYS APPROPRIATED EACH YEAR FROM THE GENERAL FUND OF  
5 THE STATE FOR USE BY THE PROGRAM; AND

6 (2) OTHER FUNDS THAT THE ADMINISTRATION MAY RECEIVE FROM  
7 PUBLIC AND PRIVATE SOURCES.

8 (E) THE TREASURER SHALL HOLD THE FUND AND SHALL INVEST THE MONEY  
9 OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED  
10 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND IN CONJUNCTION WITH  
11 THE ADMINISTRATION.

12 8-6D-08.

13 THE ADMINISTRATION MAY ADOPT REGULATIONS TO IMPLEMENT THE  
14 PROGRAM UNDER THIS TITLE.

15 8-6D-09.

16 (A) THE ADMINISTRATION SHALL:

17 (1) STUDY THE EFFECTIVENESS OF THE PROGRAM IN RELATION TO  
18 CLIENT TREATMENT FOR SUBSTANCE ABUSE AND MENTAL ILLNESS, AND THE  
19 INCIDENCE OF RELAPSE OF THESE CONDITIONS;

20 (2) STUDY THE FINANCIAL IMPACT OF THE PROGRAM;

21 (3) EVALUATE THE IMPLEMENTATION OF THE PROGRAM;

22 (4) REVIEW THE ADEQUACY OF PROGRAM FUNDING;

23 (5) INVESTIGATE OTHER PROGRAM IMPACTS AND ISSUES THE  
24 ADMINISTRATION CONSIDERS APPROPRIATE; AND

25 (6) DEVELOP APPROPRIATE RECOMMENDATIONS FOR IMPROVEMENTS  
26 TO THE PROGRAM.

27 (B) BEGINNING JANUARY 1, 2004, AND EACH JANUARY 1 THEREAFTER, THE  
28 ADMINISTRATION SHALL REPORT THE FINDINGS OF ITS STUDIES AND  
29 RECOMMENDATIONS UNDER THIS SECTION TO THE GOVERNOR AND, SUBJECT TO §  
30 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Administration shall:

32 (1) Solicit participation with an appropriate private organization with  
33 which to coordinate planning and implementation of the Pilot Program under this  
34 Act;

1           (2)       In concert with the private organization, develop a proposed budget  
2 for the Pilot Program, including projected needs for operating and capital funds, and  
3 identify available means to adequately fund the Pilot Program through public and  
4 private sources;

5           (3)       In concert with the private organization, identify and acquire the use  
6 of real property and facilities suitable for the Pilot Program;

7           (4)       Undertake best efforts to accept clients in the Pilot Program on or  
8 before January 1, 2004; and

9           (5)       Subject to § 2-1246 of the State Government Article, report to the  
10 General Assembly on or before January 1, 2003 on additional recommendations,  
11 including proposed legislation, to implement and fund the Pilot Program in  
12 conjunction with the private organization and other public and private funding to  
13 allow the Program to accept clients on or before January 1, 2004.

14       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 July 1, 2002.