

Department of Legislative Services
 Maryland General Assembly
 2002 Session

FISCAL NOTE

House Bill 587 (Delegate Healey, *et al.*)
 Environmental Matters

Facilities or Schools for Individuals with Mental Disorders - Video Surveillance

This bill requires any facility that treats individuals with mental disorders, including a school that only teaches students with mental disorders, to use video surveillance cameras to monitor the activities of facility residents, students, and staff.

Fiscal Summary

State Effect: General fund expenditures could increase by \$885,700 in FY 2003 for one-time costs to purchase and install video cameras and monitors in facilities and schools that treat and teach individuals with mental disorders. Revenues would not be affected.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	885,700	0	0	0	0
Net Effect	(\$885,700)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Potential meaningful. Five public school systems' expenditures could increase up to a total of \$359,400 in FY 2003. Revenues would not be affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Potential meaningful. There are 41 nonpublic schools in Maryland that solely serve students with emotional disabilities. However, it is unknown at this time how many of them are small businesses.

Analysis

Bill Summary: The Department of Health and Mental Hygiene (DHMH) must adopt regulations that require a facility to limit the purpose and use of videotapes produced through the surveillance and limit access to the videotapes.

Before a resident or student is admitted to a facility, the facility must inform the individual and the individual's parent or guardian, if the person is a minor, about the video monitoring. The resident, student, or the individual's parent or guardian must sign a permission form consenting to the monitoring before the resident or student may be admitted to the facility.

A videotape produced through the video surveillance is admissible in a criminal or civil action brought in a Maryland court, subject to the Maryland Rules of Evidence.

Current Law: Some nursing homes in the State are equipped for video surveillance of staff and residents. At these nursing homes, before a person is admitted, the person must sign a form agreeing to the surveillance.

State Expenditures: DHMH general fund expenditures could increase by \$885,700 in fiscal 2003 to equip 11 State psychiatric facilities and 16 residential psychiatric treatment centers that serve individuals with mental disorders with video cameras. Cameras would only be installed in the larger public areas such as the dining rooms, day rooms, exercise rooms, and group activity rooms. The State facilities already have limited video monitoring in seclusion rooms. This estimate does not include monitoring outside the facilities.

General fund expenditures for the 11 State facilities could increase by \$557,100. At the four large State facilities (Crownsville, Spring Grove, Springfield, and Perkins) the cost would be \$80,000 per facility for 16 cameras and a monitor plus \$1,200 for videotapes. At the four medium-sized State facilities (Carter, Eastern Shore, Finan, and Upper Shore) the cost would be \$40,000 per facility for eight cameras and a monitor plus \$600 for videotapes. At the three small facilities (RICA-Baltimore, RICA-Southern Maryland, and RICA-Montgomery) the cost would be \$25,000 per facility for five cameras and a monitor plus \$300 for videotapes.

General fund expenditures for the 16 residential treatment centers could increase by \$328,600. This estimate reflects each facility placing a video camera in each of the residents' bedrooms, (410 bedrooms for all the centers), one monitor per center, installation costs, plus \$600 for videotapes. Video equipment and installation is expected to cost \$800 per bedroom.

Local Expenditures: Five public school systems' expenditures could increase from \$237,150 to \$359,400 to equip six public school buildings that serve students with emotional disabilities. The lower estimate is based on purchasing and installing one camera per 2,000 square feet (28 cameras) and one monitor for each school plus \$3,150 for videotapes. The higher estimate is based on purchasing and installing one camera per 1,000 square feet (48 cameras) and one monitor for each school plus \$5,400 for videotapes.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Health and Mental Hygiene; Gipe Associates, Inc.; Department of Legislative Services

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