

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 258 (Delegate Hubbard)
Health and Government Operations

**Mental Hygiene - Emergency Evaluation Petitions - Licensed Clinical Marriage
and Family Therapists**

This bill allows a licensed clinical marriage and family therapist to petition for an emergency evaluation of an individual if the therapist has a reason to believe that the person has a mental disorder and that there is clear and imminent danger of the individual doing bodily harm to himself or another person.

Fiscal Summary

State Effect: The change would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 49 of 2002 added licensed clinical professional counselors to the list of professionals who may petition for an emergency evaluation of an individual with a suspected mental disorder. Other professionals allowed to petition for an emergency evaluation under statute are a physician, a psychologist, a clinical social worker, a health officer, a designee of a health officer who has examined the individual, a “peace officer” who has observed the individual, or any other interested person. The petition is given to a “peace officer” who must take the emergency evaluatee to an emergency facility, where the evaluatee must be examined by a physician within six hours to determine whether the evaluatee meets the requirements for involuntary admission. The evaluatee must be released

after the examination unless the evaluatee asks for voluntary admission or meets the requirements for involuntary admission. An emergency evaluatee cannot be kept at an emergency facility for more than 30 hours.

Background: There are 174 licensed clinical marriage and family therapists in Maryland.

Additional Information

Prior Introductions: None.

Cross File: SB 239 (Senators Conway and Jacobs) – Education, Health, and Environmental Affairs.

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

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