

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 844 (Delegates Kelley and Vallario)
Health and Government Operations Education, Health, and Environmental Affairs

Mental Health - Emergency Evaluations - Nearest Available Facility

This bill requires peace officers executing a petition for an emergency evaluation to transport an evaluatee to the nearest *available* emergency facility.

Fiscal Summary

State Effect: None.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A peace officer is a sheriff, deputy sheriff, State police officer, county police officer, municipal or other local police officer, or a Secret Service agent who is a sworn special agent of the U.S. Secret Service or Treasury Department.

If the peace officer has a petition that has been endorsed by a court within the last five days or is signed and submitted by a physician, psychologist, clinical social worker, licensed clinical professional counselor, health officer, health officer's designee, or peace officer, a peace officer must take an emergency evaluatee to the nearest emergency facility.

Background: A physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, health officer, or health officer's designee may petition for an emergency evaluation of an individual he or she has examined if the petitioner has

reason to believe that the individual has a mental disorder and that the individual presents a danger to the life or safety of the individual or others. Additionally, a peace officer who has personally observed the individual or the individual's behavior, or any other interested person, may petition for an emergency evaluation of an individual under the above circumstances.

A petitioner who is a physician, psychologist, clinical social worker, licensed clinical professional counselor, health officer, or health officer's designee must give the petition to a peace officer. The peace officer must explain the serious nature of the petition and the meaning and context of the petition to the petitioner.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Allegany County, Montgomery County, Prince George's County, Talbot County, Wicomico County, Department of State Police, Department of Health and Mental Hygiene, Department of Legislative Services

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