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By: **Senator Middleton**  
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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 24, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Benefits and Services for Individuals Who Are Incarcerated or**  
3 **Institutionalized - Work Group Report**

4 FOR the purpose of extending the date by which a certain work group convened by  
5 the Department of Health and Mental Hygiene, the Department of Human  
6 Resources, and the Department of Public Safety and Correctional Services is  
7 required to issue a certain report including certain findings and  
8 recommendations; and generally relating to a work group report concerning  
9 benefits for individuals who are incarcerated or institutionalized.

10 BY repealing and reenacting, with amendments,  
11 Chapter 82 of the Acts of the General Assembly of 2005  
12 Section 3

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

15 **Chapter 82 of the Acts of 2005**

16 SECTION 3. AND BE IT FURTHER ENACTED, That:

17 (a) The Department of Health and Mental Hygiene, the Department of  
18 Human Resources, and the Department of Public Safety and Correctional Services  
19 shall convene a work group consisting of interested stakeholders to make  
20 recommendations on actions to be taken to break the cycle of rearrest and  
21 reincarceration for individuals with mental illnesses who become involved with the  
22 criminal justice system, including the following:

1 (1) recommended agency responsibility for and actions to be taken to  
2 ensure that suspension and reinstatement of benefits occur in a seamless fashion;

3 (2) review and clarification of current and recommended agency  
4 responsibility for case management services for individuals released from  
5 incarceration;

6 (3) measures to ensure that timely assistance is provided to inmates  
7 with psychiatric disabilities who are not on eligibility rolls for federal benefits but  
8 who are likely to be eligible for those benefits on release;

9 (4) recommendations regarding the creation of a State bridge program  
10 for released inmates with mental illnesses whose applications for federal benefits are  
11 pending;

12 (5) review and clarification of current and recommended agency  
13 responsibility for providing access to medically necessary mental health services for  
14 inmates both while incarcerated and on release;

15 (6) actions to be taken to ensure that an individual who is released from  
16 incarceration receives in a timely manner a photo identification card that does not  
17 disclose the individual's incarceration; and

18 (7) any other strategies identified and supported by the work group to  
19 address the work group's mission.

20 (b) (1) The work group shall ISSUE A FINAL report OF its findings and  
21 recommendations on or before [December 1, 2005] OCTOBER 1, 2006, in accordance  
22 with § 2-1246 of the State Government Article, to the House Health and Government  
23 Operations Committee and the Senate Finance Committee.

24 (2) THE FINAL REPORT SHALL INCLUDE:

25 (I) FOR BOTH JAILS AND PRISONS:

26 1. AN INDICATION OF THE NUMBER OF INDIVIDUALS IN  
27 EACH FACILITY WHO HAVE MENTAL ILLNESSES AND ARE CURRENTLY RECEIVING  
28 SERVICES; AND

29 2. THE ADEQUACY OF THE CURRENT MENTAL HEALTH AND  
30 RELATED SUPPORT SERVICES APPROPRIATE TO EACH INDIVIDUAL'S NEEDS;

31 (II) A DETERMINATION OF THE DEGREE TO WHICH CURRENT  
32 MENTAL HEALTH AND SUPPORTIVE SERVICES ARE RECEIVING ADEQUATE  
33 RESOURCES TO MEET THE TREATMENT AND SUPPORT SERVICE NEEDS OF THE  
34 INMATE POPULATION WITH MENTAL ILLNESS;

35 (III) A SUMMARY OF EFFECTIVE PILOT PROGRAMS THAT HAVE BEEN  
36 IMPLEMENTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE,  
37 DEPARTMENT OF HUMAN RESOURCES, AND THE DEPARTMENT OF PUBLIC SAFETY

1 AND CORRECTION SERVICES, THE SCOPE OF COVERAGE OF THE PILOT PROGRAMS,  
2 AND ANY RECOMMENDATIONS FOR THE STATEWIDE IMPLEMENTATION OF  
3 IDENTIFIED PILOT PROGRAMS;

4 (IV) THE STATUS OF AND THE NEED FOR TRANSITION AND  
5 DIVERSION PROGRAMS;

6 (V) RECOMMENDATIONS CONCERNING THE PROPER SCOPE,  
7 CONFIGURATION, AND AVAILABILITY OF MENTAL HEALTH AND SUPPORTIVE  
8 SERVICES AND TRAINING;

9 (VI) COST ESTIMATES TO IMPLEMENT ANY RECOMMENDATIONS  
10 AND THE BENEFITS OF THE COSTS; AND

11 (VII) IDENTIFICATION OF BENEFIT RESTORATION PROGRAMS OR  
12 RECOMMENDATIONS TO STREAMLINE ACCESS TO SERVICES UPON AN INMATE'S  
13 RELEASE FROM A CORRECTIONAL FACILITY THAT, IF IMPLEMENTED IN STATE  
14 PSYCHIATRIC HOSPITALS, WOULD ENABLE INDIVIDUALS SERVED BY THESE  
15 HOSPITALS TO ACCESS BENEFITS AND SERVICES MORE QUICKLY ON AN  
16 INDIVIDUAL'S DISCHARGE INTO THE COMMUNITY.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
18 effect June 1, 2006.