
By: **Senator Stone**

Introduced and read first time: March 6, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Alcohol and Drug Abuse - Alternative Treatment Programs**

3 FOR the purpose of providing a certain person the option of entering an alternative
4 treatment program for alcohol or drug abuse under certain circumstances;
5 requiring an alternative treatment program to register with the Department of
6 Health and Mental Hygiene; requiring the Department to provide a list of
7 available alternative treatment programs to a court; defining a certain term;
8 urging the District Court and the drug treatment courts in the State to
9 encourage the use of alternative treatment programs; and generally relating to
10 alternative treatment programs for alcohol and drug abuse.

11 BY adding to

12 Article - Health - General

13 Section 8-5A-01 to be under the new subtitle "Subtitle 5A. Alternative Alcohol
14 and Drug Abuse Treatment Programs"

15 Annotated Code of Maryland

16 (2005 Replacement Volume and 2005 Supplement)

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

19 **Article - Health - General**

20 **SUBTITLE 5A. ALTERNATIVE ALCOHOL AND DRUG ABUSE TREATMENT PROGRAMS.**

21 8-5A-01.

22 (A) IN THIS SECTION, "ALTERNATIVE TREATMENT PROGRAM" MEANS:

23 (1) AN ALCOHOL OR DRUG ABUSE TREATMENT PROGRAM THAT IS NOT
24 REQUIRED TO BE CERTIFIED UNDER § 8-403 OF THIS TITLE; OR

25 (2) A TREATMENT PROGRAM OFFERED THROUGH A COMMUNITY OR
26 RELIGIOUS ORGANIZATION THAT PROVIDES EDUCATIONAL SUPPORT SERVICES FOR
27 PERSONS WHO HAVE A DEPENDENCY ON DRUGS OR ALCOHOL.

1 (B) A DEFENDANT WHO IS EVALUATED FOR TREATMENT IN ACCORDANCE
2 WITH § 8-505 OR § 8-506 OF THIS TITLE, COMMITTED FOR TREATMENT UNDER § 8-507
3 OF THIS TITLE, OR REQUIRED TO RECEIVE TREATMENT IN ACCORDANCE WITH §
4 6-229 OF THE CRIMINAL PROCEDURE ARTICLE SHALL BE OFFERED THE OPTION OF
5 ENTERING AN ALTERNATIVE TREATMENT PROGRAM IF:

6 (1) THE DEFENDANT HAS ATTEMPTED TO ENTER INTO AT LEAST THREE
7 PROGRAMS THAT ARE CERTIFIED UNDER § 8-403 OF THIS TITLE AND WAS REJECTED
8 BECAUSE OF THE DEFENDANT'S LACK OF INSURANCE TO COVER DRUG TREATMENT
9 OR INABILITY TO PAY FOR TREATMENT;

10 (2) THE ALTERNATIVE TREATMENT PROGRAM INCLUDES AN EXTENDED
11 SERIES OF EDUCATIONAL CLASSES; AND

12 (3) THE ALTERNATIVE TREATMENT PROGRAM RECORDS ATTENDANCE
13 AND PARTICIPATION AND PROVIDES THE INFORMATION TO A COURT.

14 (C) (1) IN ORDER TO PROVIDE SERVICES IN ACCORDANCE WITH THIS
15 SECTION, AN ALTERNATIVE TREATMENT PROGRAM SHALL BE REGISTERED WITH
16 THE DEPARTMENT.

17 (2) THE DEPARTMENT SHALL PROVIDE THE MOST CURRENT LIST OF
18 AVAILABLE ALTERNATIVE TREATMENT PROGRAMS TO EACH CIRCUIT COURT AND
19 THE DISTRICT COURT AS OFTEN AS THE LIST IS UPDATED.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
21 urges the District Court of Maryland and the drug treatment courts throughout the
22 State to encourage the use of alternative treatment programs for defendants who are
23 rejected from other drug treatment programs because of the lack of insurance or
24 inability or limited ability to pay for drug or alcohol abuse treatment.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2006.