

# HOUSE BILL 215

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By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

Introduced and read first time: January 23, 2008

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Alcohol and Drug Abuse Treatment Programs – Outcomes Evaluation**

3 FOR the purpose of repealing certain requirements of the Alcohol and Drug Abuse  
4 Administration of the Department of Health and Mental Hygiene to conduct  
5 certain outcome research studies; requiring the Administration to annually  
6 evaluate all publicly funded substance abuse programs using certain federal  
7 national outcomes measures in order to make certain determinations about  
8 individuals who received treatment under the program; requiring the  
9 Administration to adopt certain regulations; abolishing the Alcohol and Drug  
10 Abuse Treatment Research Advisory Council; and generally relating to alcohol  
11 and drug abuse treatment programs.

12 BY repealing and reenacting, with amendments,  
13 Article – Health – General  
14 Section 8–402  
15 Annotated Code of Maryland  
16 (2005 Replacement Volume and 2007 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 8–402.

21 (a) The Administration shall:

22 (1) Plan and encourage development of, and coordinate the facilities  
23 and services that offer treatment, care, or rehabilitation for alcohol and drug abusers;  
24 and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)    Adopt regulations:

2                   (i)    To set standards for treatment, care, and rehabilitation of  
3 alcohol and drug abusers; and

4                   (ii)   To ensure that before a facility is certified under this title to  
5 provide treatment, care, or rehabilitation of alcohol or drug abusers, an opportunity to  
6 comment, concerning whether the facility meets certification requirements, is provided  
7 to representatives of the county government and, if in a municipal corporation, the  
8 municipal government and to private citizens in the community where the facility is  
9 proposed to be located.

10           (b)    The Administration may establish and operate or identify facilities and  
11 services, including evaluation facilities to determine if an individual is a drug abuser  
12 or alcohol abuser or dependent on drugs or alcohol.

13           (c)    A facility that the Administration operates or contracts to be operated is  
14 a health facility and is not, for any purpose, a correctional institution.

15           (d)    An individual may not be discriminated against based on an inability to  
16 pay for any services provided by the Administration either directly or by contract.

17           (e)    To carry out the purposes of this title, the Administration may contract  
18 with any appropriate public or private agency that has proper and adequate treatment  
19 facilities, services, and staff.

20           [(f) (1)   The Administration shall evaluate the success and effectiveness of  
21 each alcohol abuse and drug abuse treatment program licensed or certified under this  
22 subtitle by performing outcome research studies on a representative sample of  
23 individuals who have received treatment under those programs to determine the  
24 extent to which the individuals:

25                   (i)    Have been successfully discharged from the treatment  
26 program; and

27                   (ii)   Have successfully controlled their alcohol and drug abuse  
28 problems after being discharged from the program.

29           (2)    The Administration shall adopt any reasonable regulations  
30 necessary to permit the Administration to perform the outcome research studies  
31 required under paragraph (1) of this subsection.

32           (3)    The outcome research studies shall be conducted in a manner to  
33 protect the confidentiality of the individual and in accordance with the provisions of  
34 Subtitle 6 of this title.

1           (4) The Administration shall establish an Alcohol and Drug Abuse  
2 Treatment Research Advisory Committee to:

3                   (i) Develop the methodology necessary to conduct the outcome  
4 research studies; and

5                   (ii) Advise the Administration on any reasonable regulations  
6 necessary to perform the outcome research studies in accordance with this subsection.]

7           **(F) (1) THE ADMINISTRATION ANNUALLY SHALL EVALUATE ALL**  
8 **PUBLICLY FUNDED SUBSTANCE ABUSE TREATMENT PROGRAMS CERTIFIED**  
9 **UNDER THIS SUBTITLE USING FEDERAL OUTCOMES MEASURES OR OTHER**  
10 **SUBSEQUENTLY ADOPTED FEDERAL STANDARDS TO DETERMINE THE EXTENT**  
11 **THAT INDIVIDUALS WHO HAVE RECEIVED TREATMENT UNDER THESE**  
12 **PROGRAMS HAVE:**

13                   **(I) BEEN SUCCESSFULLY RETAINED IN THE TREATMENT**  
14 **PROGRAM;**

15                   **(II) BEEN SUCCESSFULLY DISCHARGED FROM THE**  
16 **TREATMENT PROGRAM;**

17                   **(III) REDUCED SUBSTANCE USE;**

18                   **(IV) SUCCESSFULLY ATTAINED, MAINTAINED, OR**  
19 **INCREASED THEIR EMPLOYMENT;**

20                   **(V) DEMONSTRATED A DECREASE IN ENGAGING IN**  
21 **CRIMINAL ACTIVITY; AND**

22                   **(VI) SUCCESSFULLY ESTABLISHED OR MAINTAINED STABLE**  
23 **LIVING ARRANGEMENTS.**

24           **(2) THE ADMINISTRATION SHALL ADOPT REGULATIONS**  
25 **NECESSARY TO ALLOW IT TO CONDUCT THE PERFORMANCE AND OUTCOME**  
26 **RESEARCH REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

27           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2008.