

# HOUSE BILL 810

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By: **Delegates Hubbard and Pena-Melnyk**  
Introduced and read first time: February 6, 2008  
Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Involuntary Outpatient Commitment**

3 FOR the purpose of establishing the Task Force to Study Involuntary Outpatient  
4 Commitment; providing for the membership and staffing of the Task Force;  
5 requiring the Governor to designate the chair of the Task Force; providing that  
6 a member of the Task Force may not receive compensation as a member of the  
7 Task Force but is entitled to a certain reimbursement; authorizing the Task  
8 Force to consult with certain groups and experts; requiring the Task Force to  
9 study certain issues and to make certain reports to the Governor and General  
10 Assembly; defining a certain term; providing for the termination of this Act; and  
11 generally relating to the Task Force to Study Involuntary Outpatient  
12 Commitment.

13 BY adding to

14 Article – Health – General  
15 Section 10–929 to be under the new part “Part V. Task Force to Study  
16 Involuntary Outpatient Commitment”  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2007 Supplement)

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

21 **Article – Health – General**

22 **10–927. RESERVED.**

23 **10–928. RESERVED.**

24 **PART V. TASK FORCE TO STUDY INVOLUNTARY OUTPATIENT COMMITMENT.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **10-929.**

2 (A) IN THIS SECTION, "TASK FORCE" MEANS THE TASK FORCE TO  
3 STUDY INVOLUNTARY OUTPATIENT COMMITMENT.

4 (B) THERE IS A TASK FORCE TO STUDY INVOLUNTARY OUTPATIENT  
5 COMMITMENT.

6 (C) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

7 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY  
8 THE PRESIDENT OF THE SENATE;

9 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY  
10 THE SPEAKER OF THE HOUSE;

11 (3) A REPRESENTATIVE OF THE JUDICIAL BRANCH, APPOINTED  
12 BY THE CHIEF JUDGE OF THE COURT OF APPEALS;

13 (4) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

14 (5) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S  
15 DESIGNEE;

16 (6) THE EXECUTIVE DIRECTOR OF THE MENTAL HYGIENE  
17 ADMINISTRATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

18 (7) THE EXECUTIVE DIRECTOR OF THE ALCOHOL AND DRUG  
19 ABUSE ADMINISTRATION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

20 (8) THE FOLLOWING 12 MEMBERS, APPOINTED BY THE  
21 GOVERNOR:

22 (I) ONE REPRESENTATIVE OF THE MARYLAND HOSPITAL  
23 ASSOCIATION;

24 (II) ONE REPRESENTATIVE OF MEDCHI;

25 (III) ONE REPRESENTATIVE OF THE MENTAL HEALTH  
26 ASSOCIATION OF MARYLAND;

27 (IV) ONE REPRESENTATIVE OF THE NATIONAL ALLIANCE  
28 FOR THE MENTALLY ILL;

1 (V) ONE REPRESENTATIVE OF THE AMERICAN CIVIL  
2 LIBERTIES UNION;

3 (VI) ONE REPRESENTATIVE OF THE COMMUNITY  
4 BEHAVIORAL HEALTH ASSOCIATION OF MARYLAND;

5 (VII) ONE REPRESENTATIVE OF THE MARYLAND DISABILITY  
6 LAW CENTER;

7 (VIII) ONE REPRESENTATIVE OF THE MARYLAND  
8 PSYCHIATRIC SOCIETY;

9 (IX) ONE REPRESENTATIVE OF ON OUR OWN OF  
10 MARYLAND;

11 (X) ONE REPRESENTATIVE OF THE OFFICE OF THE PUBLIC  
12 DEFENDER;

13 (XI) ONE REPRESENTATIVE OF THE DEPARTMENT OF  
14 PSYCHIATRY AT THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE; AND

15 (XII) ONE REPRESENTATIVE OF THE DEPARTMENT OF  
16 PSYCHIATRY AT THE UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE.

17 (D) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE TASK  
18 FORCE.

19 (E) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE TASK FORCE.

20 (F) A MEMBER OF THE TASK FORCE:

21 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
22 TASK FORCE; BUT

23 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
24 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
25 BUDGET.

26 (G) IN PERFORMING ITS DUTIES, THE TASK FORCE MAY CONSULT WITH  
27 GROUPS AND EXPERTS WHO ARE NOT MEMBERS OF THE TASK FORCE.

28 (H) THE TASK FORCE SHALL STUDY ISSUES RELATED TO INVOLUNTARY  
29 OUTPATIENT COMMITMENT INCLUDING:

1           **(1) THE FEASIBILITY AND DESIRABILITY OF ESTABLISHING**  
2 **INVOLUNTARY OUTPATIENT COMMITMENT IN THE STATE, INCLUDING THE**  
3 **ASSOCIATED COSTS OR SAVINGS;**

4           **(2) THE EXPERIENCES OF OTHER STATES THAT HAVE ENACTED**  
5 **INVOLUNTARY COMMITMENT LAWS; AND**

6           **(3) ALTERNATIVES TO INVOLUNTARY OUTPATIENT COMMITMENT**  
7 **THAT MAY BE IMPLEMENTED IN THE STATE, INCLUDING THE COSTS OR SAVINGS**  
8 **ASSOCIATED WITH EACH ALTERNATIVE.**

9           **(I) THE TASK FORCE SHALL REPORT ITS FINDINGS AND**  
10 **RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246**  
11 **OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:**

12           **(1) IN AN INTERIM REPORT ON OR BEFORE JANUARY 1, 2009;**  
13 **AND**

14           **(2) IN A FINAL REPORT ON OR BEFORE JANUARY 1, 2010.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2008. It shall remain effective for a period of 2 years and, at the end of June  
17 30, 2010, with no further action required by the General Assembly, this Act shall be  
18 abrogated and of no further force and effect.