

CHAPTER 648

(House Bill 215)

AN ACT concerning

Alcohol and Drug Abuse Treatment Programs – Outcomes Evaluation

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

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–402
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article – Health – General

8–402.

(a) The Administration shall:

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

(2) Adopt regulations:

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

(ii) To ensure that before a facility is certified under this title to provide treatment, care, or rehabilitation of alcohol or drug abusers, an opportunity to comment, concerning whether the facility meets certification requirements, is provided

to representatives of the county government and, if in a municipal corporation, the municipal government and to private citizens in the community where the facility is proposed to be located.

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) BEEN SUCCESSFULLY RETAINED IN THE TREATMENT PROGRAM;

(II) BEEN SUCCESSFULLY DISCHARGED FROM THE TREATMENT PROGRAM;

(III) REDUCED SUBSTANCE USE;

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

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

(VI) SUCCESSFULLY ESTABLISHED OR MAINTAINED STABLE LIVING ARRANGEMENTS.

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

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

Approved by the Governor, May 22, 2008.