

HOUSE BILL 1044

J3, J1

9lr2038

By: **Delegates Carter, Anderson, Carr, Conaway, Hammen, Hucker, Levi, McDonough, Oaks, Robinson, Smigiel, Stukes, Tarrant, and F. Turner**
Introduced and read first time: February 13, 2009
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Walter P. Carter Center – Employees, Services, and Naming**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to ensure
4 that certain State employment is offered to employees of the Walter P. Carter
5 Center if the Department closes a certain unit; requiring the Department to
6 ensure that certain community-based services are offered under certain
7 circumstances; requiring the University of Maryland, Baltimore to perform
8 certain duties if the Walter P. Carter Center is transferred to the University of
9 Maryland, Baltimore; and generally relating to the Walter P. Carter Center.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 10–406(a)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

15 BY adding to
16 Article – Health – General
17 Section 10–406(e)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 Supplement)

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

22 **Article – Health – General**

23 10–406.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(a) The following State facilities shall be maintained under the direction of the Administration:

(1) Clifton T. Perkins Hospital Center.

(2) Crownsville Hospital Center.

(3) Eastern Shore Hospital Center.

(4) Regional Institutes for Children and Adolescents – Baltimore, Rockville, and Southern Maryland.

(5) Springfield Hospital Center.

(6) Spring Grove Hospital Center.

(7) Walter P. Carter Center.

(8) Thomas B. Finan Hospital Center.

(E) (1) IF THE INPATIENT PSYCHIATRIC UNIT OF THE WALTER P. CARTER CENTER CLOSES, THE DEPARTMENT SHALL ENSURE THAT:

(I) STATE EMPLOYMENT OF EQUIVALENT OR GREATER PAY AND PROVIDING EQUIVALENT OR GREATER BENEFITS IS OFFERED TO ALL EMPLOYEES OF THE WALTER P. CARTER CENTER AS OF THE DATE OF THE CLOSURE; AND

(II) IF ANOTHER FACILITY REPLACES THE COMMUNITY-BASED MENTAL HEALTH FACILITY LOCATED AT THE SITE OF THE WALTER P. CARTER CENTER AS OF JANUARY 1, 2009, THE FACILITY OFFERS COMMUNITY-BASED SERVICES THAT ARE EQUIVALENT TO OR MORE EXPANSIVE THAN THE COMMUNITY-BASED SERVICES OFFERED BY THE WALTER P. CARTER CENTER AS OF JANUARY 1, 2009, EITHER ON THE SAME SITE OR ELSEWHERE.

(2) IF THE WALTER P. CARTER CENTER IS TRANSFERRED TO THE UNIVERSITY OF MARYLAND, BALTIMORE, THE UNIVERSITY OF MARYLAND, BALTIMORE SHALL:

(I) PAY FAIR MARKET VALUE FOR RENT AND TO PURCHASE THE FACILITY;

(II) ENSURE THAT THE FACILITY IS OF AT LEAST EQUIVALENT QUALITY AS THE WALTER P. CARTER CENTER IF THERE IS A CHANGE IN LOCATION OF THE FACILITY;

1 (III) ENSURE THAT EMPLOYEES OF THE FACILITY RECEIVE
2 EQUIVALENT OR GREATER PAY AND ARE PROVIDED EQUIVALENT OR GREATER
3 BENEFITS; AND

4 (IV) ENSURE THAT THE FACILITY SHALL CONTINUE TO BE
5 NAMED THE WALTER P. CARTER CENTER REGARDLESS OF THE LOCATION OF
6 THE FACILITY.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 June 1, 2009.