

SENATE BILL 493

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CF HB 412

By: **Senators Kelley, Klausmeier, and Middleton**

Introduced and read first time: February 4, 2009

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 4, 2009

CHAPTER _____

1 AN ACT concerning

2 **Mental Health Programs and Facilities – Reports of Death**

3 FOR the purpose of defining the term “program or facility” so as to restrict the
4 application of certain reporting requirements regarding the death of certain
5 individuals to certain mental health programs and facilities; altering a certain
6 reporting requirement regarding the location of the body; specifying that certain
7 programs or facilities are required to submit only one report of death; requiring
8 the administrative head of certain nonresidential psychiatric rehabilitation
9 programs to make reports of death by a certain time; and generally relating to
10 reports of death by mental health programs and facilities.

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 10–714
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2008 Supplement)

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

18 **Article – Health – General**

19 10–714.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) **(1)** **IN THIS SECTION, “PROGRAM OR FACILITY” MEANS AN**
2 **INPATIENT OR RESIDENTIAL TREATMENT SETTING, RESIDENTIAL CRISIS**
3 **SERVICE, GROUP HOME, OR RESIDENTIAL REHABILITATION PROGRAM.**

4 **[(1)] (2)** Upon notification of the death of an individual in a State
5 funded or operated program or facility, the administrative head of the program or
6 facility shall report the death:

7 (i) Immediately to the sheriff, police, or chief law enforcement
8 official in the jurisdiction in which the death occurred;

9 (ii) Immediately to the Secretary; and

10 (iii) By the close of business of the next working day to:

11 1. The Director;

12 2. The health officer in the jurisdiction where the death
13 occurred; and

14 3. The designated State protection and advocacy system.

15 **[(2)] (3)** An initial report:

16 (i) May be:

17 1. Oral if followed by a written report within 5 working
18 days from the date of the death; or

19 2. Written;

20 (ii) Shall contain the following relevant information:

21 1. The name, age, and sex of the deceased;

22 2. The time of discovery of the death;

23 3. The deceased’s place of residence at the time of death;

24 4. [If the death occurred in a place other than the
25 residence of the deceased, the] **THE** location of the body at the time of discovery;

26 5. The place where the body was found;

27 6. The name of the person who took custody of the body;

SENATE BILL 493

- 1 (i) The number of deaths;
- 2 (ii) The location of each death;
- 3 (iii) The cause of each death, if known; and
- 4 (iv) Other data the Secretary determines to be relevant to the
- 5 status report.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.