

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 412

(Delegate Hubbard, *et al.*)

Health and Government Operations

Finance

Mental Health Programs and Facilities - Reports of Death

This bill authorizes Mental Hygiene Administration (MHA) facilities and programs that operate more than one treatment program to make only one death report if a person who attends more than one treatment program dies. In addition, if the death occurs in a nonresidential psychiatric rehabilitation program, the administrative head of the program must report the death to the MHA director by the close of business of the next working day. The bill also limits the programs and facilities that are subject to death reporting requirements to inpatient or residential treatment settings, residential crisis services, group homes, and residential rehabilitation programs.

Fiscal Summary

State Effect: The bill's requirements do not affect Department of Health and Mental Hygiene finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Upon notification of an individual's death in a program or facility operated or funded by MHA, the administrative head of the program or facility has to report the death, including specified information, to the sheriff, police, or chief law enforcement official in the jurisdiction where the death occurred; the Secretary of Health and Mental Hygiene; the MHA director; the health officer in the jurisdiction where the death occurred; and the designated State protection and advocacy system.

The report may be written, or oral if it is followed by a written report within five working days from the date of the death. The written report has to be available for the MHA director, the health officer in the jurisdiction where the death occurred, and the designated State protection and advocacy system within five working days from the date of the death.

With some exceptions, a facility means any public or private clinic, hospital, or other institution that provides services to individuals with mental disorders. MHA may also administer a program of nonresidential services for individuals with mental disorders. Currently, the death reporting requirements apply to all MHA programs and facilities.

Additional Information

Prior Introductions: None.

Cross File: SB 493 (Senator Kelley, *et al.*) - Finance.

Information Source(s): Department of Legislative Services

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