

SB0761/588074/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 761  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article - Correctional Services

Section 9-612

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 22 on page 2, inclusive, and substitute:

“9-612.

(a) The Department OR THE MANAGING OFFICIAL OF A LOCAL CORRECTIONAL FACILITY shall provide an inmate who has been sentenced to a term of incarceration in the Division of Correction OR A TERM OF AT LEAST 60 DAYS IN A LOCAL CORRECTIONAL FACILITY and who has been diagnosed with a mental illness with access to a 30-day supply of medication for the mental illness on the release of the inmate.

(b) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO PRETRIAL INMATES.

(c) Part of the 30-day supply of medication provided under subsection (a) of this section may be provided by prescription if the inmate is provided sufficient

(Over)

medication on release that enables the inmate to remain medication-compliant until additional medication becomes available from filling the prescription.

[(c)] (D) This section shall apply only if a treating physician determines that:

(1) the released inmate's possession of medication in the quantity prescribed is in the best interest of the inmate; and

(2) possession of the prescribed medication will not constitute a danger to the released inmate.

[(d)] (E) The Department, an employee of the Department, A LOCAL CORRECTIONAL FACILITY, AN EMPLOYEE OF A LOCAL CORRECTIONAL FACILITY, or an agent of the Department OR LOCAL CORRECTIONAL FACILITY, including a physician or corporate entity providing medical services to inmates on behalf of the Department OR LOCAL CORRECTIONAL FACILITY, may not be held liable under this section for issuing medication or a prescription for medication to an inmate on the inmate's release notwithstanding that the released inmate:

(1) is no longer under the care or supervision of the prescribing physician; and

(2) may be without medical supervision for the period during which the medication has been administered.”.