

HOUSE BILL 377

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11r0129
CF SB 144

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**
Introduced and read first time: February 3, 2011
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Mental Hygiene Administration Facilities – Repeal of Provisions that Relate**
3 **to Closed Facilities**

4 FOR the purpose of repealing certain provisions of law that relate to certain Mental
5 Hygiene Administration facilities that have been closed; making stylistic
6 changes; and generally relating to Mental Hygiene Administration facilities
7 that have been closed.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 10–406(a) and (c), 10–406.1, and 10–411
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Health – General
15 Section 10–406(b)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2010 Supplement)

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

20 **Article – Health – General**

21 10–406.

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

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



- 1 (1) Clifton T. Perkins Hospital Center[.];
- 2 [(2) Crownsville Hospital Center.]
- 3 [(3) (2) Eastern Shore Hospital Center[.];
- 4 [(4) (3) Regional Institutes for Children and Adolescents –
- 5 Baltimore[,] AND Rockville[, and Southern Maryland.];
- 6 [(5) (4) Springfield Hospital Center[.];
- 7 [(6) (5) Spring Grove Hospital Center[.]; AND
- 8 [(7) Walter P. Carter Center.]
- 9 [(8) (6) Thomas B. Finan Hospital Center.

10 (b) As a facility is built or transferred to the Administration, the facility may

11 be made a State facility.

12 [(c) (1) The Department shall provide for a Regional Institute for Children

13 and Adolescents in Prince George's County by July 1, 1983.

14 (2) The Regional Institute is a residential center for severely

15 emotionally disturbed children and adolescents.

16 (3) The Department shall provide residential and day treatment

17 programs for children and adolescents from Prince George's County.

18 (i) The Department shall offer to contract the education

19 program to the local educational agency.

20 (ii) If the local educational agency declines to contract, the

21 Department may operate an education program directly or contract with another

22 qualified provider.

23 (4) Until a separate program is established for each county, children

24 from Charles, Calvert, and St. Mary's counties may be served by the Regional

25 Institute in Prince George's County.

26 (5) The Department shall establish guidelines in cooperation with the

27 local board of education for the operation of the Regional Institute for Children and

28 Adolescents in Prince George's County.]

29 [(6) (i) (C) (1) By January 1, 1985, the Department shall

30 adopt rules and regulations for admission to all Regional Institutes for Children and

1 Adolescents in cooperation with representatives from the advisory committees of the
2 Regional Institutes for Children and Adolescents, the mental health advisory
3 committees in each region, the local education agencies, and the Mental Health
4 Association of Maryland.

5 **[(ii)] (2)** In determining these rules and regulations, the
6 Department shall provide that no bona fide candidate for admission may be rejected
7 solely because of residence outside the regular catchment area served by the
8 institution.

9 **[(iii)] (3)** In determining these rules and regulations, the
10 Department shall provide that candidates for admission who reside in the regular
11 catchment area served by the institution shall be granted priority in admissions to the
12 institution.

13 10-406.1.

14 (a) The Regional Institutes for Children and Adolescents in Baltimore[,]
15 AND Montgomery[, and Prince George's] counties shall be comparable:

16 (1) In programs by January 1, 1992; and

17 (2) In facilities by July 1, 1994.

18 (b) The facilities and programs of an institute may not be reduced to achieve
19 comparability.

20 (c) In no event shall the level of State funding provided or number of
21 positions authorized to any Regional Institute for Children and Adolescents be reduced
22 in order to attain comparability.

23 10-411.

24 (a) (1) (i) Except for the Eastern Shore Hospital Center, [the
25 Crownsville Hospital Center, the Regional Institute for Children and Adolescents in
26 Prince George's County,] the Spring Grove Hospital Center, and the Clifton T. Perkins
27 Hospital Center, each Board consists of 7 members appointed by the Governor.

28 **[(ii)]** The Board for the Crownsville Hospital Center consists of 11
29 members appointed by the Governor.]

30 **[(iii)] (II)** The Board for the Eastern Shore Hospital Center
31 consists of 11 members appointed by the Governor.

32 **[(iv)]** The Board for the Regional Institute for Children and
33 Adolescents in Prince George's County consists of 11 members appointed by the
34 Governor.]

1 [(v)] (III) The Board for the Spring Grove Hospital Center
2 consists of 9 members appointed by the Governor.

3 [(vi)] (IV) The Board for the Clifton T. Perkins Hospital Center
4 consists of 9 members appointed by the Governor.

5 (2) The Board for each State facility shall reflect adequately the
6 composition of the community that the State facility serves.

7 (3) Of the members of the Board for a State facility:

8 (i) At least 2 shall be parents or other relatives of residents or
9 former residents of a State facility; and

10 (ii) Each of the others shall be individuals who:

11 1. Are known for their interest in civic and public
12 affairs; and

13 2. Have expressed an interest in the care of individuals
14 who have a mental disorder or generally in mental health endeavors.

15 (4) The Governor shall appoint the members from a list of qualified
16 individuals submitted to the Governor by the Secretary.

17 (b) Each member of a Board shall be a citizen of this State.

18 (c) (1) The term of a member is 4 years.

19 (2) (i) Except for the Board for [the Regional Institute for Children
20 and Adolescents in Prince George's County and the Board for] the Clifton T. Perkins
21 Hospital Center, the terms of members are staggered as required for members of each
22 Board on July 1, 1982. [For the Board for the Regional Institute for Children and
23 Adolescents in Prince George's County, the terms of the members are staggered as
24 required for the members on the Board on July 1, 1983.] For the Board for the Clifton
25 T. Perkins Hospital Center, the terms of the members are staggered as required for
26 the members on the Board on October 1, 1994.

27 (ii) Except for the Boards of the Eastern Shore Hospital Center,
28 [the Crownsville Hospital Center, the Regional Institute for Children and Adolescents
29 in Prince George's County,] the Spring Grove Hospital Center, and the Clifton T.
30 Perkins Hospital Center, the terms of those members end as follows:

31 1. 1 in 1983;

32 2. 4 in 1984;

1 3. 1 in 1985; and

2 4. 1 in 1986.

3 **[(iii)]** The terms of the members of the Board for the Crownsville
4 Hospital Center end as follows:

5 1. 2 in 1987;

6 2. 5 in 1988;

7 3. 2 in 1989; and

8 4. 2 in 1990.]

9 **[(iv)] (III)** The terms of the members of the Board for the
10 Eastern Shore Hospital Center end as follows:

11 1. 2 in 1983;

12 2. 5 in 1984;

13 3. 2 in 1985; and

14 4. 2 in 1986.

15 **[(v)]** The terms of the members of the Board for the Regional
16 Institute for Children and Adolescents in Prince George's County end as follows:

17 1. 2 in 1985;

18 2. 3 in 1986;

19 3. 3 in 1987; and

20 4. 3 in 1988.]

21 **[(vi)] (IV)** The terms of the members of the Board for the Spring
22 Grove Hospital Center end as follows:

23 1. 1 in 1986;

24 2. 1 in 1987;

25 3. 4 in 1988; and

1 4. 3 in 1989.

2 [(vii)] (v) The terms of the members of the Board for the Clifton
3 T. Perkins Hospital Center end as follows:

4 1. 1 in 1996;

5 2. 5 in 1997; and

6 3. 3 in 1998.

7 (3) At the end of a term, a member continues to serve until a successor
8 is appointed and qualifies.

9 (4) A member who is appointed after a term has begun serves only for
10 the rest of the term and until a successor is appointed and qualifies.

11 (5) (i) Except as provided in subparagraph (ii) of this paragraph, a
12 member who serves 2 consecutive full 4–year terms may not be reappointed for 4 years
13 after completion of those terms.

14 (ii) An initial member of a Board who serves 3 consecutive full
15 4–year terms may not be reappointed for 4 years after completion of those terms.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2011.