

HOUSE BILL 574

D4, J1, O1

6lr1380

By: **Charles County Delegation**

Introduced and read first time: February 3, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Ji'Aire Lee Workgroup on the Protection of Adults With**
3 **Mental Illness and Their Children**

4 FOR the purpose of requiring the Department of Human Resources, in collaboration with
5 the Department of Health and Mental Hygiene, to convene the Ji'Aire Lee
6 Workgroup on the Protection of Adults With Mental Illness and Their Children;
7 requiring the Workgroup to evaluate and determine whether modifications are
8 needed to certain laws, systems, and services that are in place to help and protect
9 certain individuals; requiring a certain evaluation to include certain areas of inquiry;
10 requiring the Workgroup to include certain representatives and interested
11 stakeholders; requiring the Department of Human Resources to report the findings
12 and any recommendations of the Workgroup to the Governor and the General
13 Assembly on or before a certain date; providing for the termination of this Act; and
14 generally relating to the Ji'Aire Lee Workgroup on the Protection of Adults With
15 Mental Illness and Their Children.

16 Preamble

17 WHEREAS, In May 2015, Ji'Aire Lee, a 3-year-old boy, died of hypothermia and
18 dehydration after having been pushed on a swing in a park in La Plata, Maryland, for 40
19 hours in the rain by his mother, who suffered from schizophrenia and bipolar disorder; and

20 WHEREAS, Before Ji'Aire's death, Ji'Aire's mother had been hospitalized twice after
21 experiencing breakdowns in her mental health; and

22 WHEREAS, Ji'Aire and his mother had been living with Ji'Aire's grandmother before
23 Ji'Aire's death and, on several occasions, Ji'Aire's grandmother sought help for her
24 daughter, including after an incident in which Ji'Aire's mother walked barefoot down a
25 street holding her son's hand; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Ji'Aire's grandmother was unable to obtain help for her daughter after
2 contacting law enforcement, the local department of social services, and others; and

3 WHEREAS, Despite the existence of laws and services intended to protect children
4 like Ji'Aire and to provide help to individuals with serious mental illness who are in crisis,
5 like Ji'Aire's mother, Ji'Aire suffered a tragic end to his life; and

6 WHEREAS, There is a need to evaluate and determine whether modifications are
7 needed to the laws, systems, and services that are in place in Charles County and elsewhere
8 in the State to ensure that children like Ji'Aire are protected and that individuals like
9 Ji'Aire's mother are able to obtain the help they need when in crisis; now, therefore,

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 That:

12 (a) (1) The Department of Human Resources, in collaboration with the
13 Department of Health and Mental Hygiene, shall convene the Ji'Aire Lee Workgroup on
14 the Protection of Adults With Mental Illness and Their Children.

15 (2) The Workgroup shall evaluate and determine whether modifications
16 are needed to the laws, systems, and services that are in place to:

17 (i) help and protect individuals with serious mental illness who are
18 in crisis; and

19 (ii) protect the children of individuals with serious mental illness
20 who are in crisis.

21 (3) The evaluation required under paragraph (2) of this subsection shall
22 include:

23 (i) an examination of existing laws and the application of those
24 laws, including laws relating to guardianship and the protection of children in need of
25 assistance, to identify any reforms that are needed to:

26 1. enable a parent or other relative, guardian, or friend to
27 take a supervisory role in the care of an adult who has a serious mental illness and is in
28 crisis; and

29 2. grant an individual with such a supervisory role the right
30 to take a supervisory role for a minor child who is in the custody of the adult who has a
31 serious mental illness and is in crisis, while allowing the mentally ill adult to maintain
32 custody of the child under the supervision and assistance of the individual granted the right
33 of supervision over the mentally ill adult and minor child of the adult;

34 (ii) consideration of proposals to enact and implement laws
35 providing for outpatient civil commitment or assisted outpatient treatment in the State,

1 including the feasibility and efficacy of establishing and implementing outpatient civil
2 commitment or assisted outpatient treatment in Charles County and other jurisdictions in
3 the State; and

4 (iii) a review of the feasibility and efficacy of establishing a Mental
5 Health Court to assist and prevent the incarceration of individuals with serious mental
6 illness in:

7 1. Charles County; and

8 2. other jurisdictions in the State that do not have a Mental
9 Health Court and have expressed interest in establishing one.

10 (b) The Workgroup shall include:

11 (1) one representative of the Maryland Judiciary;

12 (2) one representative of a local department of social services;

13 (3) one representative of law enforcement;

14 (4) one representative of a local core service agency; and

15 (5) interested stakeholders.

16 (c) On or before December 1, 2016, the Department of Human Resources shall
17 report the findings and any recommendations of the Workgroup to the Governor and, in
18 accordance with § 2-1246 of the State Government Article, the General Assembly.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
20 1, 2016. It shall remain effective for a period of 1 year and 1 month and, at the end of June
21 30, 2017, with no further action by the General Assembly, this Act shall be abrogated and
22 of no further force and effect.