

Chapter 685

(Senate Bill 586)

AN ACT concerning

Department of Health and Mental Hygiene – Regional Institutes for Children and Adolescents – Report Before Closure

FOR the purpose of requiring the Department of Health and Mental Hygiene to submit a certain report to the Governor and certain legislative committees before a regional institute for children and adolescents may be closed; requiring the report to address certain items; requiring the legislative committees to have a certain period of time to review and comment on the report; and generally relating to regional institutes for children and adolescents in the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 10–406
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Health – General

10–406.

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

- (1) Clifton T. Perkins Hospital Center;
- (2) Eastern Shore Hospital Center;
- (3) Regional Institutes for Children and Adolescents — Baltimore and Rockville;
- (4) Springfield Hospital Center;
- (5) Spring Grove Hospital Center; and
- (6) Thomas B. Finan Hospital Center.

(b) As a facility is built or transferred to the Administration, the facility may be made a State facility.

(c) (1) By January 1, 1985, the Department shall adopt rules and regulations for admission to all Regional Institutes for Children and Adolescents in cooperation with representatives from the advisory committees of the Regional Institutes for Children and Adolescents, the mental health advisory committees in each region, the local education agencies, and the Mental Health Association of Maryland.

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

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

(d) (1) Beginning in fiscal year 2007, the Department may not bill a local board of education for any services provided by the State at a regional institute for children and adolescents.

(2) Notwithstanding paragraph (1) of this subsection:

(i) Beginning in fiscal year 2007, the Department shall continue to provide the same scope of services at regional institutes for children and adolescents that were provided as of January 1, 2005; and

(ii) A local board of education may make a contribution toward the cost of services provided by the State at a regional institute for children and adolescents.

(E) (1) BEFORE A REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS MAY BE CLOSED, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE, JUSTIFYING THE CLOSURE.

(2) THE REPORT SHALL ADDRESS:

(I) THE REASONS FOR THE CLOSURE;

(II) THE PLAN FOR SERVING THE REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS TARGET POPULATION AFTER THE CLOSURE;

(III) THE BUDGETARY SAVINGS ANTICIPATED FROM THE CLOSURE COMPARED TO THE COSTS ASSOCIATED WITH SERVING THE REGIONAL

INSTITUTE FOR CHILDREN AND ADOLESCENTS TARGET POPULATION IN OTHER SETTINGS;

(IV) THE PLAN FOR ASSISTING STATE EMPLOYEES DISPLACED BY THE CLOSURE IN FINDING OTHER EMPLOYMENT; AND

(V) THE PLAN FOR THE REGIONAL INSTITUTE FOR CHILDREN AND ADOLESCENTS FACILITY.

(3) THE COMMITTEES SHALL HAVE 60 DAYS TO REVIEW AND COMMENT ON THE REPORT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2016.