

HB0033/976987/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 33

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Lam” and substitute “Delegates Lam, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, Metzgar, Miele, Morales, Morgan, Pena–Melnik, Pendergrass, Platt, Rosenberg, Saab, Sample–Hughes, Szeliga, West, and K. Young”; in line 15, after “person” insert “that the disabled person has been admitted to the facility and”; in line 16, after “circumstances,” insert “providing that the appointment of a guardian of a disabled person does not modify the right of the disabled person to apply for a certain voluntary admission;”; and in line 18, after “not” insert “diminish certain rights, duties, or responsibilities or”.

On page 2, in line 1, after “Section” insert “13–706 and”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“13–706.

(a) An adjudication of a disability for purposes of appointing a guardian of a person may not be the basis for commitment of the disabled person to a mental institution.

(b) Appointment of a guardian of the person:

(1) Is not evidence of incompetency of the disabled person; and

(2) Does not modify any civil right of the disabled person unless the court orders, including any civil service ranking, appointment, **THE RIGHT TO APPLY**

(Over)

FOR VOLUNTARY ADMISSION TO A FACILITY UNDER § 10-611 OF THE HEALTH – GENERAL ARTICLE, and rights relating to licensure, permit, privilege, or benefit under any law.”.

AMENDMENT NO. 3

On page 3, in line 20, strike “TWO PSYCHIATRISTS” and substitute “EITHER A PHYSICIAN AND A PSYCHOLOGIST, TWO PHYSICIANS, OR A PHYSICIAN AND A PSYCHIATRIC NURSE PRACTITIONER”.

On page 3 in line 29 and on page 4 in line 15, in each instance, strike “PSYCHIATRIST” and substitute “PHYSICIAN, PSYCHOLOGIST, OR PSYCHIATRIC NURSE PRACTITIONER”.

AMENDMENT NO. 4

On page 5, in line 10, after “(H)” insert “THE FACILITY SHALL NOTIFY THE GUARDIAN OF THE PERSON OF A DISABLED PERSON ADMITTED TO THE FACILITY UNDER THIS SECTION:

(1) THAT THE DISABLED PERSON HAS BEEN ADMITTED TO THE FACILITY; AND

(2);

strike beginning with the comma in line 11 down through “REQUEST” in line 13; and in line 22, strike “CONFER” and substitute “:

(1) DIMINISH THE RIGHTS, DUTIES, OR RESPONSIBILITIES CONFERRED ON THE GUARDIAN OF THE PERSON UNDER § 13-708 OF THE ESTATES AND TRUSTS ARTICLE; OR

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**(2) CONFER**".