

**SB0453/443224/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 453  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “**Senators**” insert “**Lewis Young,**”; in the same line, strike “**and West**” and substitute “**West, Ellis, Hayes, and A. Washington**”; in lines 2 and 3, strike “**Emergency Evaluation and Involuntary Admission Procedures and**”; strike beginning with “requiring” in line 4 down through “admission;” in line 8; strike beginning with “the” in line 8 down through “requiring” in line 11; in line 11, after “program;” insert “**requiring the Maryland Department of Health to establish an assisted outpatient treatment program in a county that does not opt to establish a program;**”; in line 14, strike “emergency evaluation and involuntary admission and”; and strike in their entirety lines 16 through 20, inclusive.

On page 2, in line 7, strike “10-6A-11” and substitute “**10-6A-12**”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 35 on page 2 through line 31 on page 4, inclusive.

AMENDMENT NO. 3

On page 6, in line 4, after “**SERIOUS**” insert “**AND PERSISTENT**”; in line 7, strike “**OR**” and substitute a comma; in line 8, after “**AGENCY**” insert “**, OR THE DEPARTMENT**”; strike beginning with the colon in line 11 down through “**SELF-HARMING**” in line 12 and substitute “**SELF-HARMING**”; strike beginning with the semicolon in line 12 down through “**DETERIORATION**” in line 16; in line 19, after “**SERIOUS**” insert “**AND PERSISTENT**”; and strike beginning with “**SUBSTANTIAL**” in line 19 down through “**OTHERS**” in line 24 and substitute “**MENTAL ILLNESS THAT IS SEVERE IN DEGREE AND PERSISTENT IN DURATION, THAT CAUSES A SUBSTANTIALLY DIMINISHED LEVEL OF FUNCTIONING IN THE PRIMARY ASPECTS**”.

OF DAILY LIVING AND AN INABILITY TO MEET THE ORDINARY DEMANDS OF LIFE, AND THAT MAY LEAD TO AN INABILITY TO MAINTAIN INDEPENDENT FUNCTIONING IN THE COMMUNITY WITHOUT INTENSIVE TREATMENT AND SUPPORT”.

On page 7, strike beginning with “OR” in line 6 down through “SPECIALIST” in line 9 and substitute “;

(III) SERVICES OF A CERTIFIED PEER RECOVERY SPECIALIST;  
AND

(IV) IF CLINICALLY APPROPRIATE, ASSERTIVE COMMUNITY TREATMENT SERVICES”;

in line 11, strike “A” and substitute “ON OR BEFORE JULY 1, 2026, A”; in the same line, strike “SHALL” and substitute “MAY”; and after line 17, insert:

“(C) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT SHALL ESTABLISH AN ASSISTED OUTPATIENT TREATMENT PROGRAM IN ANY COUNTY THAT DOES NOT OPT TO ESTABLISH AN ASSISTED OUTPATIENT TREATMENT PROGRAM.

(D) (1) A CARE COORDINATION TEAM OPERATING UNDER AN ASSISTED OUTPATIENT TREATMENT PROGRAM SHALL CONSIST OF, AT A MINIMUM:

(I) A PSYCHIATRIST;

(II) A CASE MANAGER;

(III) A CERTIFIED PEER RECOVERY SPECIALIST;

(IV) OTHER TREATING PROVIDERS AS CLINICALLY APPROPRIATE, SUCH AS AN ASSERTIVE COMMUNITY TREATMENT TEAM AND A PROVIDER FAMILIAR WITH THE HEALTH NEEDS OF VETERANS; AND

(V) ANY OTHER INDIVIDUALS REQUIRED BY THE DEPARTMENT IN REGULATION.

(2) THE DEPARTMENT SHALL ESTABLISH CLINICAL AND OPERATIONAL STANDARDS FOR ASSISTED OUTPATIENT TREATMENT PROGRAMS AND CARE COORDINATION TEAMS ESTABLISHED UNDER THIS SECTION.”

On page 8, strike beginning with “THE” in line 9 down through “TREATING” in line 10 and substitute “A”; in line 25, strike “THE” and substitute “AS APPLICABLE, THE”; in the same line, strike “OR” and substitute a comma; and in line 26, after “AGENCY” insert “, OR THE DEPARTMENT”.

AMENDMENT NO. 4

On page 7, after line 9, insert:

“10-6A-02.

(A) THE ISSUANCE OF AN ASSISTED OUTPATIENT TREATMENT ORDER AGAINST A RESPONDENT UNDER THIS SUBTITLE MAY NOT BE:

(1) THE BASIS FOR THE INVOLUNTARY ADMISSION OF THE RESPONDENT TO A FACILITY UNDER THIS TITLE; OR

(2) USED AS EVIDENCE OF INCOMPETENCY OF THE RESPONDENT.

(Over)

**(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO ABRIDGE OR MODIFY ANY CIVIL RIGHT OF THE RESPONDENT, INCLUDING:**

**(1) ANY CIVIL SERVICE RANKING OR APPOINTMENT;**

**(2) THE RIGHT TO APPLY FOR VOLUNTARY ADMISSION TO A FACILITY UNDER § 10-609 OF THIS TITLE; AND**

**(3) ANY RIGHT RELATING TO A LICENSE, PERMIT, CERTIFICATION, PRIVILEGE, OR BENEFIT UNDER ANY LAW.**

**(C) ANY RIGHT NORMALLY AFFORDED TO AN INDIVIDUAL IN A CIVIL OR CRIMINAL MATTER SHALL APPLY.”;**

and in lines 10 and 18, strike “~~10-6A-02.~~” and “~~10-6A-03.~~”, respectively, and substitute “10-6A-03.” and “10-6A-04.”, respectively.

On page 8, in lines 2 and 3, 5, and 15, in each instance, strike “~~§ 10-6A-04~~” and substitute “§ 10-6A-05”.

On page 9, in line 1, strike “~~10-6A-04.~~” and substitute “10-6A-05.”; in lines 6 and 8, in each instance, after “SERIOUS” insert “AND PERSISTENT”; in line 11, strike “HOSPITAL INPATIENT PSYCHIATRIC SERVICES” and substitute “INPATIENT ADMISSION TO A PSYCHIATRIC HOSPITAL FOR AT LEAST 48 HOURS”; in line 12, after “FACILITY;” insert “OR”; strike beginning with “CREDIBLE” in line 15 down through “OR” in line 17 and substitute “PATTERNS OR THREATS OF, OR ATTEMPTS AT, SERIOUS PHYSICAL HARM TO SELF OR OTHERS;”; strike in their entirety lines 18 through 22, inclusive; in line 30, strike the colon; in line 31, strike “(I) HISTORY” and substitute “HISTORY”; and in line 32, after “PETITION” insert “THAT IS NOT DUE TO”

FINANCIAL, TRANSPORTATION, OR LANGUAGE ISSUES IN THE IMMEDIATELY PRECEDING 36-MONTH PERIOD".

On pages 9 and 10, strike beginning with "OR" in line 32 on page 9 down through "TREATMENT;" in line 2 on page 10.

On page 10, in line 10, strike "10-6A-05." and substitute "10-6A-06."; in lines 11 and 12, strike "§ 10-6A-03" and substitute "§ 10-6A-04"; in line 13, strike "§ 10-6A-06" and substitute "§ 10-6A-07"; after line 19, insert:

**"(2) A TREATMENT PLAN DEVELOPED BY THE CARE COORDINATION TEAM SHALL BE:**

**(I) RECOVERY-ORIENTED; AND**

**(II) CONSISTENT WITH EVIDENCE-BASED AND EVOLVING BEST PRACTICES IN THE TREATMENT OF SERIOUS AND PERSISTENT MENTAL ILLNESS.**";

in lines 20 and 23, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; and in line 29, strike "CONSIDER" and substitute "HONOR".

On page 11, in line 1, after "(3)" insert "(I)"; strike beginning with "MAY" in line 1 down through "EFFECT" in line 3, and substitute "SHALL HAVE AN OPPORTUNITY TO VOLUNTARILY AGREE TO THE TREATMENT PLAN.

**(II) IF THE RESPONDENT VOLUNTARILY AGREES TO THE TREATMENT PLAN, THE CARE COORDINATION TEAM SHALL:**

**1. NOTIFY THE COURT THAT THE PARTIES ARE DISMISSING THE CASE IN ACCORDANCE WITH MARYLAND RULE 2-506; AND**

**2. FILE A STIPULATED AGREEMENT THAT INCLUDES THE TREATMENT PLAN.**

**(4) THE CARE COORDINATION TEAM SHALL PROVIDE TO THE RESPONDENT, THE COUNTY ATTORNEY, AND THE OFFICE OF THE PUBLIC DEFENDER THE TREATMENT PLAN AND THE PROVIDERS THAT ARE INCLUDED IN THE TREATMENT PLAN**”;

in line 4, strike “(4)” and substitute “(5)”; in line 6, strike “§ 10-6A-06” and substitute “§ 10-6A-07”; after line 13, insert:

**(6) THE CARE COORDINATION TEAM SHALL ASSIST IN CONNECTING THE RESPONDENT TO SERVICES THAT WOULD HELP THE RESPONDENT BE SUCCESSFUL IN ADHERING TO A TREATMENT PLAN, INCLUDING, IF NEEDED, TRANSPORTATION, HOUSING, ACCESSIBILITY SERVICES, AND OTHER SERVICES THAT WOULD ADDRESS THE HEALTH-RELATED SOCIAL NEEDS OF THE RESPONDENT.**”;

in line 14, strike “10-6A-06.” and substitute “10-6A-07.”; in line 16, strike “§ 10-6A-03” and substitute “§ 10-6A-04”; strike beginning with “AND” in line 19 down through “EXPEDITIOUSLY” in line 20; after line 20, insert:

**(3) A HEARING SHALL BE SCHEDULED ONLY IF THE RESPONDENT HAS NOT AGREED TO ENTER VOLUNTARY TREATMENT.**”;

and strike beginning with “TO” in line 29 down through “SUBTITLE” in line 30.

**SB0453/443224/01**                      **Finance Committee**  
**Amendments to SB 453**  
**Page 7 of 10**

On page 12, in line 10, strike “**THE RESPONDENT’S TREATING**” and substitute “**A**”; strike beginning with “**AND**” in line 12 down through “**TREATMENT**” in line 13; and in line 17, strike “**§ 10-6A-04**” and substitute “**§ 10-6A-05**”.

On pages 12 and 13, strike in their entirety the lines beginning with line 32 on page 12 through line 2 on page 13, inclusive.

On page 13, in lines 3 and 21, strike “**10-6A-07.**” and “**10-6A-08.**”, respectively, and substitute “**10-6A-08.**” and “**10-6A-09.**”, respectively; and in line 16, strike “**§ 10-6A-05**” and substitute “**§ 10-6A-06**”.

On page 14, in line 18, after “**ATTORNEY;**” insert “**AND**”; strike beginning with “**THE**” in line 19 down through “**(IV)**” in line 20; and in line 22, strike “**10-6A-09.**” and substitute “**10-6A-10.**”.

On page 15, in line 14, strike “**10-6A-10.**” and substitute “**10-6A-11.**”; and in line 29, strike “**10-6A-11.**” and substitute “**10-6A-12.**”.

**AMENDMENT NO. 5**

On page 14, in line 2, after “**MOTION**” insert “**, AND ANY TIMELY RESPONSES TO THE MOTION,**”; in line 3, strike “**HOLD A HEARING**” and substitute “**ISSUE A RULING ON THE MOTION AND ANY TIMELY RESPONSES TO THE MOTION**”; strike beginning with “**WITHOUT**” in line 6 down through “**HEARING**” in line 7; strike in their entirety lines 23 through 29, inclusive; and in line 30, strike “**(B)**” and substitute “**(A)**”.

On page 15, in lines 3, 7, and 12, strike “**(C)**”, “**(D)**”, and “**(E)**”, respectively, and substitute “**(B)**”, “**(C)**”, and “**(D)**”, respectively; in line 13, after “**COURT**” insert “**OR FOR INVOLUNTARY ADMISSION UNDER THIS TITLE**”; in line 15, strike “**(A)**”; strike beginning with “**A**” in line 16 down through “**ORDER**” in line 18 and substitute “**THE RESPONDENT’S CARE COORDINATION TEAM SHALL PROVIDE THE RESPONDENT**”.

(Over)

WITH A PLAN FOR CONTINUED TREATMENT, IF CONSIDERED NECESSARY"; and strike in their entirety lines 19 through 28, inclusive.

On page 16, in line 12, after "**ARRESTS;**" insert "AND"; in line 13, strike "**AND**"; strike line 14 in its entirety; strike beginning with "**RESPONDENTS**" in line 21 down through "**AGREEMENT**" in line 23 and substitute "VOLUNTARY AGREEMENTS MADE BY RESPONDENTS TO COMPLY WITH A TREATMENT PLAN"; strike beginning with "**RACE**" in line 25 down through "**ETHNICITY**" in line 26 and substitute ", TO THE EXTENT AVAILABLE:

- 1.     AVERAGE AGE;**
- 2.     LIVING SITUATION AT THE TIME OF THE ISSUANCE OF THE ASSISTED OUTPATIENT TREATMENT ORDER;**
- 3.     LIVING SITUATION AT THE TIME OF THE EXPIRATION OF THE ASSISTED OUTPATIENT TREATMENT ORDER;**
- 4.     GENDER;**
- 5.     MARITAL STATUS;**
- 6.     RACE AND ETHNICITY;**
- 7.     RELIGION;**
- 8.     FAMILIAL STATUS;**
- 9.     NATIONAL ORIGIN;**



10. SEXUAL ORIENTATION;

11. GENDER IDENTITY; AND

12. DISABILITY;

(V) DE-IDENTIFIED INFORMATION ON DIAGNOSES OF ASSISTED OUTPATIENT TREATMENT RECIPIENTS;

(VI) DE-IDENTIFIED RESULTS FROM THE USE OF A CLINICALLY VALIDATED SYMPTOM TOOL TO ASSESS RESPONSIVENESS OF RESPONDENTS TO TREATMENT”;

in line 27, strike “(V)” and substitute “(VII)”;

in the same line, strike “A” and substitute “DE-IDENTIFIED RESULTS OF A”;

and in line 28, after “TREATMENT” insert “;

(4) ANY INFORMATION THE DEPARTMENT HAS ABOUT SYSTEM-WIDE IMPACTS OF ASSISTED OUTPATIENT TREATMENT ORDERED UNDER THIS SUBTITLE, INCLUDING ANY INFORMATION FROM HOSPITALS, LOCAL DETENTION CENTERS, AND COUNTIES; AND

(5) INFORMATION ABOUT THE COSTS INCURRED BY THE DEPARTMENT, THE ADMINISTRATION, AND ANY COUNTY THAT ESTABLISHES AN ASSISTED TREATMENT PROGRAM UNDER THIS SUBTITLE, INCLUDING COSTS FOR:

(I) ATTORNEYS;

(II) EXPERT WITNESSES; AND

**(III) THE PROVISION OF SERVICES PROVIDED UNDER AN ASSISTED OUTPATIENT TREATMENT ORDER**".

On page 17, after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2025, a county shall notify the Maryland Department of Health regarding whether the county intends to establish an assisted outpatient treatment program under § 10-6A-03(a)(1) of the Health – General Article, as enacted by Section 1 of this Act.";

in line 9, strike "2" and substitute "1"; and in line 10, after "2025." insert "It shall remain effective for a period of 5 years and, at the end of June 30, 2030, Section 1 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.".