

HB0576/493424/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 576

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Wu**” and substitute “**Wu, R. Lewis, Pena-Melnyk, Cullison, Chisholm, Hutchinson, Kerr, M. Morgan, Rosenberg, White Holland, Woods, Reilly, and Szeliga**”; strike beginning with “requiring” in line 4 down through “facility;” in line 6; strike beginning with “the” in line 8 down through “requiring” in line 11; and 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;”.

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

AMENDMENT NO. 2

On page 3, in line 5, strike the brackets; and in lines 5 and 6, strike “**A NEARBY**”.

On page 4, in lines 22 and 23, in each instance, strike the bracket; in line 22, strike “**THE**”; and in line 23, strike “**MAY REQUIRE**”.

AMENDMENT NO. 3

On page 6, in line 6, after “**SERIOUS**” insert “**AND PERSISTENT**”; in line 9, strike “**OR**” and substitute a comma; in line 10, after “**AGENCY**” insert “**, OR THE DEPARTMENT**”; strike beginning with the colon in line 13 down through “**SELF-HARMING**” in line 14 and substitute “**SELF-HARMING**”; strike beginning with the semicolon in line 14 down through “**DETERIORATION**” in line 18; in line 21, after “**SERIOUS**” insert “**AND PERSISTENT**”; and strike beginning with “**SUBSTANTIAL**” in line 21 down through “**OTHERS**” in line 26 and substitute “**MENTAL ILLNESS THAT IS SEVERE IN DEGREE AND PERSISTENT IN DURATION, THAT CAUSES A**”.

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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 8 down through "SPECIALIST" in line 11 and substitute ";

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

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

in line 13, strike "A" and substitute "**ON OR BEFORE JULY 1, 2026, A**"; in the same line, strike "SHALL" and substitute "**MAY**"; and after line 19, 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."

On page 8, strike beginning with "THE" in line 10 down through "TREATING" in line 11 and substitute "**A**"; in line 26, strike "**THE**" and substitute "**AS APPLICABLE, THE**"; in the same line, strike "OR" and substitute a comma; and in line 27, after "AGENCY" insert "**, OR THE DEPARTMENT**".

AMENDMENT NO. 4

On page 7, after line 11, insert:

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“10-6A-02.

(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO ABRIDGE THE RIGHTS OF A RESPONDENT.

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

and in lines 12 and 20, strike “10-6A-02.” and “10-6A-03.”, respectively, and substitute “10-6A-03.” and “10-6A-04.”, respectively.

On page 8, in lines 3 and 4, 6, and 16, in each instance, strike “§ 10-6A-04” and substitute “§ 10-6A-05”.

On page 9, in line 3, strike “10-6A-04.” and substitute “10-6A-05.”; in lines 8 and 10, in each instance, after “SERIOUS” insert “AND PERSISTENT”; in line 13, strike “HOSPITAL INPATIENT PSYCHIATRIC SERVICES” and substitute “INPATIENT ADMISSION TO A PSYCHIATRIC HOSPITAL FOR AT LEAST 48 HOURS”; in line 14, after “FACILITY;” insert “OR”; strike beginning with “CREDIBLE” in line 17 down through “OR” in line 19 and substitute “PATTERNS OR THREATS OF, OR ATTEMPTS AT, SERIOUS PHYSICAL HARM TO SELF OR OTHERS;”; strike in their entirety lines 20 through 24, inclusive; and in line 32, strike the colon.

On page 10, in line 1, strike “(I) HISTORY” and substitute “HISTORY”; in line 2, after “PETITION” insert “THAT IS NOT DUE TO FINANCIAL, TRANSPORTATION, OR LANGUAGE ISSUES IN THE IMMEDIATELY PRECEDING 36-MONTH PERIOD”; strike beginning with “OR” in line 2 down through “TREATMENT;” in line 4; in line 12, strike “10-6A-05.” and substitute “10-6A-06.”; in lines 13 and 14, strike “§ 10-6A-03” and substitute “§ 10-6A-04”; in line 15, strike “§ 10-6A-06” and substitute “§ 10-6A-07”; after line 21, insert:

(Over)

“(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 22 and 25, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; and in line 31, strike “CONSIDER” and substitute “HONOR”.

On page 11, in line 3, after “(3)” insert “(I)”; strike beginning with “MAY” in line 3 down through “EFFECT” in line 5, and substitute “SHALL HAVE AN OPPORTUNITY TO VOLUNTARILY AGREE TO THE TREATMENT PLAN.”

(II) IF THE RESPONDENT VOLUNTARILY AGREES TO THE TREATMENT PLAN, THE PETITIONER’S ATTORNEY 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”;

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in line 6, strike “(4)” and substitute “(5)”; in line 8, strike “§ 10-6A-06” and substitute “§ 10-6A-07”; in line 16, strike “10-6A-06.” and substitute “10-6A-07.”; in line 18, strike “§ 10-6A-03” and substitute “§ 10-6A-04”; and after line 22, insert:

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

On page 12, strike beginning with “TO” in line 2 down through “SUBTITLE” in line 3; in line 13, strike “THE RESPONDENT’S TREATING” and substitute “A”; strike beginning with “AND” in line 15 down through “TREATMENT” in line 16; and in line 20, strike “§ 10-6A-04” and substitute “§ 10-6A-05”.

On page 13, in lines 7 and 25, strike “10-6A-07.” and “10-6A-08.”, respectively, and substitute “10-6A-08.” and “10-6A-09.”, respectively; and in line 20, strike “§ 10-6A-05” and substitute “§ 10-6A-06”.

On page 14, in line 28, strike “10-6A-09.” and substitute “10-6A-10.”.

On page 15, in line 19, strike “10-6A-10.” and substitute “10-6A-11.”.

On page 16, in line 1, strike “10-6A-11.” and substitute “10-6A-12.”.

AMENDMENT NO. 5

On page 14, in line 8, after “MOTION” insert “, **AND ANY TIMELY REPLIES TO THE MOTION,**”; in line 9, strike “HOLD A HEARING” and substitute “**RESPOND TO THE MOTION**”; and strike beginning with “WITHOUT” in line 12 down through “HEARING” in line 13.

(Over)

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On pages 14 and 15, strike in their entirety the lines beginning with line 29 on page 14 through line 3 on page 15.

On page 15, in lines 4, 8, 12, and 17, strike “(B)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(A)”, “(B)”, “(C)”, and “(D)”, respectively; in line 18, after “COURT” insert “OR FOR INVOLUNTARY ADMISSION UNDER THIS TITLE”; in line 20, strike “(A)”; strike beginning with “A” in line 21 down through “ORDER” in line 23 and substitute “THE RESPONDENT’S CARE COORDINATION TEAM SHALL PROVIDE THE RESPONDENT WITH A PLAN FOR CONTINUED TREATMENT, IF CONSIDERED NECESSARY”; and strike in their entirety lines 24 through 33, inclusive.

On page 16, in line 17, after “ARRESTS;” insert “AND”; strike line 19 in its entirety; strike beginning with “RESPONDENTS” in line 26 down through “AGREEMENT” in line 28 and substitute “VOLUNTARY AGREEMENTS MADE BY RESPONDENTS TO COMPLY WITH A TREATMENT PLAN”; and strike beginning with “RACE” in line 30 down through “ETHNICITY” in line 31 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”.

On page 17, in line 1, strike “(V)” and substitute “(VII)”;

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

after line 10, insert:

“SECTION 3. 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 2 of this Act.”;

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in lines 11 and 13, strike “3.” and “4.”, respectively, and substitute “4.” and “5.”, respectively; and in line 14, strike “3” and substitute “4”.