

# HOUSE BILL 576

J1

(4lr0150)

## ENROLLED BILL

— Health and Government Operations/Finance —

Introduced by **The Speaker (By Request – Administration) and Delegates S. Johnson, Allen, Alston, Amprey, Anderton, Bagnall, Bartlett, Bhandari, Boaf, Bouchat, Boyce, Charkoudian, Crutchfield, Ebersole, Fennell, Foley, Forbes, Grossman, Guyton, Guzzone, Harris, Harrison, Henson, Hill, Hornberger, Jackson, A. Johnson, D. Jones, Kaiser, Kaufman, Kipke, J. Long, Lopez, Love, Martinez, McCaskill, Munoz, Palakovich Carr, Pasteur, Patterson, Phillips, Pruski, Roberson, Roberts, Ruff, Ruth, Simmons, Simpson, Spiegel, Taveras, Taylor, Toles, Tomlinson, Turner, Valderrama, Watson, Williams, ~~and Wu~~ Wu, R. Lewis, Pena-Melnyk, Cullison, Chisholm, Hutchinson, Kerr, M. Morgan, Rosenberg, White Holland, Woods, Reilly, and Szeliga**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Mental Health – ~~Emergency Evaluation and Involuntary Admission Procedures~~**  
3 **~~and~~ Assisted Outpatient Treatment Programs**

4 FOR the purpose of ~~requiring a peace officer, when the peace officer receives a petition for~~  
5 ~~emergency evaluation for an individual, to transport the emergency evaluate to a~~

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



~~nearby emergency facility, rather than the nearest emergency facility; authorizing a psychiatric nurse practitioner to evaluate an emergency evaluate for purposes of involuntary admission; authorizing the Maryland Department of Health to require the admission of an emergency evaluate to an appropriate facility, rather than requiring the Department to provide for the admission within a certain time period; requiring each county to establish an assisted outpatient treatment program; requiring the Maryland Department of Health to establish an assisted outpatient treatment program in a county that does not opt to establish a program; requiring the Office of the Public Defender to provide representation in assisted outpatient treatment proceedings; and generally relating to the procedures for emergency evaluation and involuntary admission and~~ assisted outpatient treatment programs.

~~BY repealing and reenacting, with amendments,~~

~~Article – Health – General  
Section 10-624 and 10-625  
Annotated Code of Maryland  
(2023 Replacement Volume)~~

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 16-204(b)(1)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2023 Supplement)

BY adding to

Article – Criminal Procedure  
Section 16-204(c)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2023 Supplement)

BY adding to

Article – Health – General  
Section 10-6A-01 through ~~10-6A-11~~ 10-6A-12 to be under the new subtitle  
“Subtitle 6A. Assisted Outpatient Treatment Programs”  
Annotated Code of Maryland  
(2023 Replacement Volume)

### Preamble

WHEREAS, A seamless behavioral health continuum of care that provides access to high quality, equitable behavioral health care is necessary for the further development of mental health services in Maryland; and

WHEREAS, Allowing for more options to serve individuals in crisis will help further strengthen Maryland’s crisis response system and better serve individuals in crisis; and

1 WHEREAS, Intensive outpatient services, such as assisted outpatient treatment,  
2 function to reduce homelessness, needless hospitalizations, arrests, and incarcerations; and

3 WHEREAS, A small but persistent subset of individuals with severe mental illness  
4 struggle to engage voluntarily in treatment necessary to live safely in the community, in  
5 many cases due to an inability through no fault of their own to maintain awareness or  
6 understanding of their mental illness; and

7 WHEREAS, When individuals with severe mental illness remain untreated, they  
8 suffer needlessly from homelessness, poverty, repeated hospitalizations, repeated arrests,  
9 trauma, and suicide; and

10 WHEREAS, Civil commitment to outpatient care combined with adequate resources  
11 for treatment and monitoring, known in many states as “assisted outpatient treatment”, is  
12 a federally recognized best practice for improving treatment adherence and outcomes  
13 among individuals with histories of repeated psychiatric crises while reducing systemic  
14 costs through avoided hospitalization; and

15 WHEREAS, Maryland is one of only three remaining states without statutory  
16 authority for a civil court to order an individual to adhere to outpatient care; now, therefore,

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

19 ~~Article Health General~~

20 ~~10-624.~~

21 (a) (1) ~~A peace officer shall take an emergency evaluate to [the nearest] A~~  
22 ~~NEARBY~~ emergency facility if the peace officer has a petition under Part IV of this subtitle  
23 that:

24 (i) ~~Has been endorsed by a court within the last 5 days; or~~

25 (ii) ~~Is signed and submitted by a physician, psychologist, clinical~~  
26 ~~social worker, licensed clinical professional counselor, clinical nurse specialist in~~  
27 ~~psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical~~  
28 ~~marriage and family therapist, health officer or designee of a health officer, or peace officer.~~

29 (2) ~~The petition required under paragraph (1) of this subsection may be:~~

30 (i) ~~In the form of an electronic record; and~~

31 (ii) ~~Transmitted and received electronically.~~

1           ~~(3) To the extent practicable, a peace officer shall notify the emergency~~  
2 ~~facility in advance that the peace officer is bringing an emergency evaluate to the emergency~~  
3 ~~facility.~~

4           ~~(4) After a peace officer brings the emergency evaluate to an emergency~~  
5 ~~facility, the peace officer need not stay unless, because the emergency evaluate is violent,~~  
6 ~~emergency facility personnel ask the supervisor of the peace officer to have the peace officer~~  
7 ~~stay.~~

8           ~~(5) A peace officer shall stay until the supervisor responds to the request~~  
9 ~~for assistance. If the emergency evaluate is violent, the supervisor shall allow the peace~~  
10 ~~officer to stay.~~

11           ~~(6) If emergency facility personnel ask that a peace officer stay, a physician~~  
12 ~~OR A PSYCHIATRIC NURSE PRACTITIONER shall examine the emergency evaluate as~~  
13 ~~promptly as possible.~~

14           ~~(b) (1) If the petition is executed properly, the emergency facility shall accept~~  
15 ~~the emergency evaluate.~~

16           ~~(2) The petition required under paragraph (1) of this subsection may be:~~

17                   ~~(i) In the form of an electronic record; and~~

18                   ~~(ii) Transmitted and received electronically.~~

19           ~~(3) Within 6 hours after an emergency evaluate is brought to an emergency~~  
20 ~~facility, a physician OR A PSYCHIATRIC NURSE PRACTITIONER shall examine the~~  
21 ~~emergency evaluate, to determine whether the emergency evaluate meets the requirements~~  
22 ~~for involuntary admission.~~

23           ~~(4) Promptly after the examination, the emergency evaluate shall be~~  
24 ~~released unless the emergency evaluate:~~

25                   ~~(i) Asks for voluntary admission; or~~

26                   ~~(ii) Meets the requirements for involuntary admission.~~

27           ~~(5) An emergency evaluate may not be kept at an emergency facility for~~  
28 ~~more than 30 hours.~~

29 ~~10-625.~~

30           ~~(a) If an emergency evaluate meets the requirements for an involuntary admission~~  
31 ~~and is unable or unwilling to agree to a voluntary admission under this subtitle, the~~  
32 ~~examining physician OR PSYCHIATRIC NURSE PRACTITIONER shall take the steps~~

~~needed for involuntary admission of the emergency evaluate to an appropriate facility, which may be a general hospital with a licensed inpatient psychiatric unit.~~

~~(b) (1) If the examining physician OR PSYCHIATRIC NURSE PRACTITIONER is unable to have the emergency evaluate admitted to a facility, the physician OR PSYCHIATRIC NURSE PRACTITIONER shall notify the Department.~~

~~(2) [Within 6 hours after notification, the] THE Department [shall provide for] MAY REQUIRE admission of the emergency evaluate to an appropriate facility.~~

~~(e) (1) Within 30 hours after the emergency facility completes an application for the involuntary admission of an emergency evaluate, the emergency facility shall notify the Mental Health Division in the Office of the Public Defender, by e-mail or facsimile, of the completion of the application.~~

~~(2) The notice required under paragraph (1) of this subsection shall include any legal documents relating to the acceptance of the emergency evaluate into the emergency facility, including the emergency petition, application for involuntary admission, and certification for involuntary admission.~~

~~(3) The notice required under paragraph (1) of this subsection does not apply to a patient who agrees to voluntary admission.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:~~

## Article – Criminal Procedure

16–204.

(b) (1) Indigent defendants or parties shall be provided representation under this title in:

(i) a criminal or juvenile proceeding in which a defendant or party is alleged to have committed a serious offense;

(ii) a criminal or juvenile proceeding in which an attorney is constitutionally required to be present prior to presentment being made before a commissioner or judge;

(iii) a postconviction proceeding for which the defendant has a right to an attorney under Title 7 of this article;

(iv) any other proceeding in which confinement under a judicial commitment of an individual in a public or private institution may result;

1 (v) a proceeding involving children in need of assistance under §  
2 3–813 of the Courts Article; [or]

3 (vi) a family law proceeding under Title 5, Subtitle 3, Part II or Part  
4 III of the Family Law Article, including:

5 1. for a parent, a hearing in connection with guardianship or  
6 adoption;

7 2. a hearing under § 5–326 of the Family Law Article for  
8 which the parent has not waived the right to notice; and

9 3. an appeal; OR

10 (VII) AN ASSISTED OUTPATIENT TREATMENT PROCEEDING  
11 UNDER TITLE 10, SUBTITLE 6A OF THE HEALTH – GENERAL ARTICLE.

12 (C) SUBSECTION (B)(1)(VII) OF THIS SECTION MAY NOT BE CONSTRUED TO  
13 PREVENT A RESPONDENT FROM RETAINING PRIVATE COUNSEL AT THE  
14 RESPONDENT’S OWN EXPENSE.

15 **Article – Health – General**

16 **SUBTITLE 6A. ASSISTED OUTPATIENT TREATMENT PROGRAMS.**

17 **10–6A–01.**

18 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
19 INDICATED.

20 (B) “ASSISTED OUTPATIENT TREATMENT” MEANS A SPECIFIC REGIMEN OF  
21 OUTPATIENT TREATMENT FOR A SERIOUS AND PERSISTENT MENTAL ILLNESS TO  
22 WHICH AN INDIVIDUAL IS ORDERED BY THE COURT TO ADHERE.

23 (C) “CARE COORDINATION TEAM” MEANS A MULTIDISCIPLINARY TEAM  
24 UNDER THE OVERSIGHT OF A LOCAL BEHAVIORAL HEALTH AUTHORITY ~~OR,~~ CORE  
25 SERVICE AGENCY, OR THE DEPARTMENT.

26 (D) “HARM TO OTHERS” MEANS AN ACT OR ATTEMPT AT OR CREDIBLE  
27 THREAT OF SERIOUS VIOLENT BEHAVIOR TOWARD OTHERS.

28 (E) “HARM TO THE INDIVIDUAL” MEANS:

29 ~~(1) SELF-HARMING~~ SELF-HARMING BEHAVIOR OR AN ATTEMPT AT  
30 SUICIDE;

1           ~~(2) FAILURE TO PROTECT ONESELF FROM DANGER;~~

2           ~~(3) INABILITY TO MEET ONE'S BASIC NEEDS; OR~~

3           ~~(4) FAILURE TO OBTAIN MEDICALLY NECESSARY TREATMENT TO~~  
4 ~~PREVENT SERIOUS PHYSICAL OR PSYCHIATRIC DETERIORATION.~~

5           (F) "HOSPITAL" HAS THE MEANING STATED IN § 19-301 OF THIS ARTICLE.

6           (G) "PROGRAM" MEANS AN ASSISTED OUTPATIENT TREATMENT PROGRAM.

7           (H) "SERIOUS AND PERSISTENT MENTAL ILLNESS" MEANS A ~~SUBSTANTIAL~~  
8 ~~DISORDER OF THOUGHT, MOOD, OR ORIENTATION THAT:~~

9           ~~(1) SIGNIFICANTLY IMPAIRS JUDGMENT, BEHAVIOR, OR CAPACITY TO~~  
10 ~~RECOGNIZE REALITY OR TO REASON OR UNDERSTAND; AND~~

11           ~~(2) IF NOT TREATED, CREATES A SUBSTANTIAL RISK OF SERIOUS~~  
12 ~~HARM TO THE INDIVIDUAL OR HARM TO OTHERS~~ MENTAL ILLNESS THAT IS SEVERE  
13 IN DEGREE AND PERSISTENT IN DURATION, THAT CAUSES A SUBSTANTIALLY  
14 DIMINISHED LEVEL OF FUNCTIONING IN THE PRIMARY ASPECTS OF DAILY LIVING  
15 AND AN INABILITY TO MEET THE ORDINARY DEMANDS OF LIFE, AND THAT MAY LEAD  
16 TO AN INABILITY TO MAINTAIN INDEPENDENT FUNCTIONING IN THE COMMUNITY  
17 WITHOUT INTENSIVE TREATMENT AND SUPPORT.

18           (I) "TREATMENT PLAN" MEANS A PLAN DEVELOPED BY A CARE  
19 COORDINATION TEAM THAT:

20           (1) INCORPORATES ALL OUTPATIENT TREATMENT SERVICES THAT  
21 ARE DETERMINED TO BE ESSENTIAL AND AVAILABLE FOR THE MAINTENANCE OF AN  
22 INDIVIDUAL'S HEALTH AND SAFETY; AND

23           (2) INCLUDES, AT A MINIMUM:

24           (I) SERVICES OF A TREATING PSYCHIATRIST;

25           (II) CASE MANAGEMENT ~~OR ASSERTIVE COMMUNITY~~  
26 ~~TREATMENT SERVICES; AND~~

27           ~~(III) IF RESOURCES PERMIT, SERVICES OF A CERTIFIED PEER~~  
28 ~~RECOVERY SPECIALIST;~~

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

3                    (IV) IF CLINICALLY APPROPRIATE, ASSERTIVE COMMUNITY  
 4 TREATMENT SERVICES.

5 10-6A-02.

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

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

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

11            ~~(A)~~ (B) THIS SUBTITLE MAY NOT BE CONSTRUED TO ABRIDGE THE  
 12 RIGHTS OF A RESPONDENT OR MODIFY ANY CIVIL RIGHT OF THE RESPONDENT,  
 13 INCLUDING:

14                   (1) ANY CIVIL SERVICE RANKING OR APPOINTMENT;

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

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

19            ~~(B)~~ (C) ANY RIGHT NORMALLY AFFORDED TO AN INDIVIDUAL IN A CIVIL  
 20 OR CRIMINAL MATTER SHALL APPLY.

21 ~~10-6A-02.~~ 10-6A-03.

22            (A) (1) ~~A~~ ON OR BEFORE JULY 1, 2026, A COUNTY SHALL MAY ESTABLISH  
 23 AN ASSISTED OUTPATIENT TREATMENT PROGRAM IN ACCORDANCE WITH THIS  
 24 SUBTITLE.

25                   (2) A COUNTY MAY PARTNER WITH ANOTHER COUNTY TO ESTABLISH  
 26 AN ASSISTED OUTPATIENT TREATMENT PROGRAM.

27            (B) AN ASSISTED OUTPATIENT TREATMENT PROGRAM ESTABLISHED  
 28 UNDER SUBSECTION (A) OF THIS SECTION SHALL BE APPROVED AND OVERSEEN BY  
 29 THE COUNTY'S LOCAL BEHAVIORAL HEALTH AUTHORITY OR CORE SERVICE AGENCY.



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

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

6                           **(I) A PSYCHIATRIST;**

7                           **(II) A CASE MANAGER;**

8                           **(III) A CERTIFIED PEER RECOVERY SPECIALIST;**

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

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

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

17 ~~10-6A-03.~~ **10-6A-04.**

18           **(A) A PETITION FOR ASSISTED OUTPATIENT TREATMENT MAY BE MADE**  
19 **UNDER THIS SUBTITLE BY THE DIRECTOR OF A MENTAL HEALTH PROGRAM**  
20 **RECEIVING STATE FUNDING UNDER SUBTITLE 9, PART I OF THIS TITLE, OR BY ANY**  
21 **INDIVIDUAL AT LEAST 18 YEARS OLD WHO HAS A LEGITIMATE INTEREST IN THE**  
22 **WELFARE OF THE RESPONDENT.**

23           **(B) THE PETITION FOR ASSISTED OUTPATIENT TREATMENT SHALL BE IN**  
24 **WRITING, SIGNED BY THE PETITIONER, AND STATE:**

25                           **(1) THE PETITIONER'S NAME, ADDRESS, AND RELATIONSHIP, IF ANY,**  
26 **TO THE RESPONDENT;**

27                           **(2) THE NAME AND ANY KNOWN ADDRESS OF THE RESPONDENT;**

28                           **(3) THAT THE PETITIONER HAS REASON TO BELIEVE THE**  
29 **RESPONDENT MEETS THE CRITERIA FOR ASSISTED OUTPATIENT TREATMENT IN §**  
30 ~~10-6A-04~~ **§ 10-6A-05** **OF THIS SUBTITLE; AND**

1 (4) FOR EACH CRITERION FOR ASSISTED OUTPATIENT TREATMENT IN  
2 ~~§ 10-6A-04~~ § 10-6A-05 OF THIS SUBTITLE, THE SPECIFIC ALLEGATIONS OF FACT  
3 THAT SUPPORT THE PETITIONER'S BELIEF THAT THE RESPONDENT MEETS THE  
4 CRITERION.

5 (C) THE PETITION FOR ASSISTED OUTPATIENT TREATMENT SHALL BE  
6 ACCOMPANIED BY AN AFFIDAVIT OR AFFIRMATION OF ~~THE RESPONDENT'S~~  
7 ~~TREATING~~ A PSYCHIATRIST, STATING THAT THE PSYCHIATRIST IS WILLING AND  
8 ABLE TO TESTIFY AT THE HEARING ON THE PETITION AND HAS:

9 (1) EXAMINED THE RESPONDENT WITHIN 30 DAYS BEFORE THE DATE  
10 OF THE PETITION; AND

11 (2) CONCLUDED THAT THE RESPONDENT MEETS THE CRITERIA FOR  
12 ASSISTED OUTPATIENT TREATMENT IN ~~§ 10-6A-04~~ § 10-6A-05 OF THIS SUBTITLE.

13 (D) (1) A PETITION FOR ASSISTED OUTPATIENT TREATMENT SHALL BE  
14 FILED IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE RESPONDENT  
15 RESIDES OR IN THE COUNTY OF THE LAST KNOWN RESIDENCE OF THE RESPONDENT.

16 (2) ON THE FILING OF A PETITION UNDER PARAGRAPH (1) OF THIS  
17 SUBSECTION, THE CIRCUIT COURT SHALL NOTIFY THE FOLLOWING OF THE FILING  
18 OF THE PETITION:

19 (I) THE RESPONDENT;

20 (II) THE MENTAL HEALTH DIVISION IN THE OFFICE OF THE  
21 PUBLIC DEFENDER;

22 (III) ~~THE~~ AS APPLICABLE, THE LOCAL BEHAVIORAL HEALTH  
23 AUTHORITY OR, THE COUNTY'S CORE SERVICE AGENCY, OR THE DEPARTMENT;

24 (IV) THE COUNTY ATTORNEY; AND

25 (V) IF APPLICABLE AND KNOWN, THE RESPONDENT'S  
26 GUARDIAN AND HEALTH CARE AGENT.

27 (E) A PETITION FILED UNDER THIS SUBTITLE SHALL BE HELD UNDER SEAL  
28 AND MAY NOT BE PUBLISHED ON MARYLAND JUDICIARY CASE SEARCH.

29 ~~10-6A-04.~~ 10-6A-05.

1 (A) THE COURT MAY ORDER THE RESPONDENT TO RECEIVE ASSISTED  
2 OUTPATIENT TREATMENT ON A FINDING BY CLEAR AND CONVINCING EVIDENCE  
3 THAT:

4 (1) THE RESPONDENT IS AT LEAST 18 YEARS OLD;

5 (2) THE RESPONDENT HAS A SERIOUS AND PERSISTENT MENTAL  
6 ILLNESS;

7 (3) THE RESPONDENT HAS DEMONSTRATED A LACK OF ADHERENCE  
8 WITH TREATMENT FOR THE SERIOUS AND PERSISTENT MENTAL ILLNESS THAT HAS:

9 (I) AT LEAST TWICE WITHIN THE 36-MONTH PERIOD  
10 IMMEDIATELY PRECEDING THE FILING OF THE PETITION, BEEN A SIGNIFICANT  
11 FACTOR IN NECESSITATING ~~HOSPITAL INPATIENT PSYCHIATRIC SERVICES~~  
12 INPATIENT ADMISSION TO A PSYCHIATRIC HOSPITAL FOR AT LEAST 48 HOURS OR  
13 RECEIPT OF PSYCHIATRIC SERVICES IN A CORRECTIONAL FACILITY; OR

14 (II) AT LEAST ONCE WITHIN THE 36-MONTH PERIOD  
15 IMMEDIATELY PRECEDING THE FILING OF THE PETITION, RESULTED IN AN ACT OF  
16 SERIOUS VIOLENT BEHAVIOR TOWARD SELF OR OTHERS, OR ~~CREDIBLE THREAT OF,~~  
17 ~~OR ATTEMPT AT, SERIOUS PHYSICAL HARM TO THE INDIVIDUAL OR HARM TO~~  
18 ~~OTHERS; OR~~ PATTERNS OR THREATS OF, OR ATTEMPTS AT, SERIOUS PHYSICAL  
19 HARM TO SELF OR OTHERS;

20 ~~(III) RESULTED IN THE ISSUANCE OF AN ORDER IN THE STATE~~  
21 ~~FOR ASSISTED OUTPATIENT TREATMENT THAT EXPIRED WITHIN THE 6 MONTH~~  
22 ~~PERIOD IMMEDIATELY PRECEDING THE FILING OF THE PETITION AND IN THE~~  
23 ~~INTERIM HAS CAUSED A SUBSTANTIAL INCREASE IN SYMPTOMS OF MENTAL ILLNESS~~  
24 ~~THAT HAS RESULTED IN HARM TO THE INDIVIDUAL OR HARM TO OTHERS;~~

25 (4) IN VIEW OF THE RESPONDENT'S TREATMENT HISTORY AND  
26 BEHAVIOR AT THE TIME THE PETITION IS FILED, THE RESPONDENT IS IN NEED OF  
27 ASSISTED OUTPATIENT TREATMENT IN ORDER TO PREVENT A RELAPSE OR  
28 DETERIORATION THAT WOULD CREATE A SUBSTANTIAL RISK OF SERIOUS HARM TO  
29 THE INDIVIDUAL OR HARM TO OTHERS;

30 (5) THE RESPONDENT IS UNLIKELY TO ADEQUATELY ADHERE TO  
31 OUTPATIENT TREATMENT ON A VOLUNTARY BASIS, AS DEMONSTRATED BY THE  
32 RESPONDENT'S:

33 ~~(I)~~ HISTORY ~~HISTORY~~ OF TREATMENT NONADHERENCE IN THE  
34 36-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE PETITION THAT

1 IS NOT DUE TO FINANCIAL, TRANSPORTATION, OR LANGUAGE ISSUES IN THE  
 2 IMMEDIATELY PRECEDING 36-MONTH PERIOD; OR

3 ~~(H) INABILITY TO MAKE RATIONAL AND INFORMED DECISIONS~~  
 4 ~~REGARDING MENTAL HEALTH TREATMENT; AND~~

5 (6) IN CONSIDERATION OF ITEMS (1) THROUGH (5) OF THIS  
 6 SUBSECTION, ASSISTED OUTPATIENT TREATMENT IS THE LEAST RESTRICTIVE  
 7 ALTERNATIVE APPROPRIATE TO MAINTAIN THE HEALTH AND SAFETY OF THE  
 8 RESPONDENT.

9 (B) TIME THAT THE RESPONDENT SPENT HOSPITALIZED OR INCARCERATED  
 10 MAY NOT BE INCLUDED WHEN CALCULATING THE TIME PERIOD UNDER SUBSECTION  
 11 (A)(3)(I) OR (II) OF THIS SECTION.

12 ~~10-6A-05.~~ 10-6A-06.

13 (A) (1) AFTER THE FILING OF THE PETITION WITH THE COURT UNDER §  
 14 ~~10-6A-03~~ § 10-6A-04 OF THIS SUBTITLE, BUT NOT LATER THAN THE DATE OF THE  
 15 PSYCHIATRIST'S TESTIMONY REQUIRED UNDER ~~§ 10-6A-06~~ § 10-6A-07 OF THIS  
 16 SUBTITLE, THE CARE COORDINATION TEAM SHALL DEVELOP A TREATMENT PLAN  
 17 AND PROVIDE A COPY IN WRITING TO:

18 (I) THE RESPONDENT;

19 (II) THE RESPONDENT'S ATTORNEY; AND

20 (III) IF APPLICABLE AND KNOWN, THE RESPONDENT'S  
 21 GUARDIAN AND HEALTH CARE AGENT.

22 (2) A TREATMENT PLAN DEVELOPED BY THE CARE COORDINATION  
 23 TEAM SHALL BE:

24 (I) RECOVERY-ORIENTED; AND

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

27 ~~(2)~~ (3) FOR EACH SERVICE LISTED IN THE TREATMENT PLAN, A  
 28 COMMUNITY-BASED PROVIDER THAT HAS AGREED TO PROVIDE THE SERVICE TO  
 29 THE RESPONDENT SHALL BE IDENTIFIED TO PROVIDE THE SERVICE.

30 ~~(3)~~ (4) A TREATMENT PLAN MAY INCLUDE MEDICATION.

1 (B) (1) THE CARE COORDINATION TEAM SHALL GIVE THE RESPONDENT,  
 2 THE RESPONDENT'S GUARDIAN, THE RESPONDENT'S HEALTH CARE AGENT, AND ANY  
 3 INDIVIDUAL DESIGNATED BY THE RESPONDENT A REASONABLE OPPORTUNITY TO  
 4 PARTICIPATE IN THE DEVELOPMENT OF THE TREATMENT PLAN.

5 (2) IF THE RESPONDENT HAS EXECUTED A MENTAL HEALTH ADVANCE  
 6 DIRECTIVE, THE CARE COORDINATION TEAM SHALL ~~CONSIDER~~ HONOR ANY  
 7 DIRECTIONS INCLUDED IN THE ADVANCE DIRECTIVE IN THE DEVELOPMENT OF THE  
 8 TREATMENT PLAN IN ACCORDANCE WITH §§ 5-602(A)(2) AND 5-611(A) AND (B) OF  
 9 THIS ARTICLE.

10 (3) (I) ~~THE RESPONDENT MAY ELECT TO STIPULATE AT THE~~  
 11 ~~HEARING TO THE TREATMENT PLAN IN LIEU OF A CONTESTED HEARING AND THE~~  
 12 ~~RESULTING ORDER GIVEN FORCE AND EFFECT SHALL HAVE AN OPPORTUNITY TO~~  
 13 VOLUNTARILY AGREE TO THE TREATMENT PLAN.

14 (II) IF THE RESPONDENT VOLUNTARILY AGREES TO THE  
 15 TREATMENT PLAN, THE ~~PETITIONER'S ATTORNEY~~ CARE COORDINATION TEAM  
 16 SHALL:

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

19 2. FILE A STIPULATED AGREEMENT THAT INCLUDES  
 20 THE TREATMENT PLAN.

21 (4) THE CARE COORDINATION TEAM SHALL PROVIDE TO THE  
 22 RESPONDENT, THE COUNTY ATTORNEY, AND THE OFFICE OF THE PUBLIC  
 23 DEFENDER THE TREATMENT PLAN AND THE PROVIDERS THAT ARE INCLUDED IN  
 24 THE TREATMENT PLAN.

25 ~~(4)~~ (5) IF THE CARE COORDINATION TEAM CHANGES THE  
 26 TREATMENT PLAN OR THE PROVIDERS INCLUDED IN THE TREATMENT PLAN BEFORE  
 27 THE HEARING CONDUCTED UNDER ~~§ 10-6A-06~~ § 10-6A-07 OF THIS SUBTITLE, THE  
 28 CARE COORDINATION TEAM SHALL PROMPTLY NOTIFY THE FOLLOWING OF THE  
 29 CHANGE AND THE JUSTIFICATION OF THE CHANGE:

30 (I) THE RESPONDENT;

31 (II) THE RESPONDENT'S ATTORNEY;

32 (III) THE COUNTY ATTORNEY; AND

1 (IV) IF APPLICABLE AND KNOWN, THE RESPONDENT'S  
2 GUARDIAN AND HEALTH CARE AGENT.

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

8 ~~10-6A-06. 10-6A-07.~~

9 (A) (1) ON RECEIPT OF A PETITION FOR ASSISTED OUTPATIENT  
10 TREATMENT THAT MEETS THE REQUIREMENTS OF ~~§ 10-6A-03~~ § 10-6A-04 OF THIS  
11 SUBTITLE, THE COURT SHALL SCHEDULE THE DATE FOR A HEARING.

12 (2) THE COURT MAY GRANT A CONTINUANCE OR POSTPONEMENT  
13 ONLY FOR GOOD CAUSE SHOWN ~~AND IN CONSIDERATION OF THE NEED TO PROVIDE~~  
14 ~~ASSISTED OUTPATIENT TREATMENT EXPEDITIOUSLY.~~

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

17 (B) (1) THE RESPONDENT SHALL BE ENTITLED TO BE REPRESENTED BY  
18 COUNSEL OF THE RESPONDENT'S CHOICE AT THE HEARING AND AT ALL STAGES OF  
19 THE PROCEEDINGS.

20 (2) IF THE RESPONDENT IS UNABLE TO AFFORD AN ATTORNEY, OR IS  
21 UNABLE TO OBTAIN AN ATTORNEY DUE TO THE RESPONDENT'S MENTAL ILLNESS,  
22 REPRESENTATION SHALL BE PROVIDED IN ACCORDANCE WITH §§ 16-204 AND  
23 16-208 OF THE CRIMINAL PROCEDURE ARTICLE.

24 (3) ALL RULES OF CIVIL PROCEDURE SHALL APPLY TO CASES FILED  
25 UNDER THIS SUBTITLE ~~TO THE EXTENT THAT THEY DO NOT CONFLICT WITH~~  
26 ~~PROCEDURES OR TIMELINESS REQUIRED UNDER THIS SUBTITLE.~~

27 (4) RESPONDENTS MAY NOT BE REQUIRED TO GIVE TESTIMONY AT  
28 HEARINGS UNDER THIS SUBTITLE.

29 (5) PARTICIPATION IN ASSISTED OUTPATIENT TREATMENT MAY NOT  
30 BE USED AGAINST A RESPONDENT IN A SUBSEQUENT LEGAL MATTER THAT CARRIES  
31 NEGATIVE COLLATERAL CONSEQUENCES.

1 (C) AT THE HEARING, THE RESPONDENT SHALL BE GIVEN AN OPPORTUNITY  
2 TO PRESENT EVIDENCE, TO CALL WITNESSES ON THE RESPONDENT'S BEHALF, AND  
3 TO CROSS-EXAMINE ADVERSE WITNESSES.

4 (D) (1) THE PETITIONER'S PRESENTATION OF EVIDENCE SHALL INCLUDE  
5 THE TESTIMONY OF ~~THE RESPONDENT'S TREATING A~~ PSYCHIATRIST WHOSE MOST  
6 RECENT EXAMINATION OF THE RESPONDENT OCCURRED WITHIN 30 DAYS BEFORE  
7 THE DATE OF THE PETITION ~~AND WHO RECOMMENDS ASSISTED OUTPATIENT~~  
8 ~~TREATMENT.~~

9 (2) THE PSYCHIATRIST SHALL STATE THE FACTS AND CLINICAL  
10 DETERMINATIONS PROVIDING THE BASIS FOR THE PSYCHIATRIST'S OPINION THAT  
11 THE RESPONDENT MEETS EACH OF THE CRITERIA FOR ASSISTED OUTPATIENT  
12 TREATMENT IN ~~§ 10-6A-04~~ § 10-6A-05 OF THIS SUBTITLE.

13 (E) (1) THE PETITIONER'S PRESENTATION OF EVIDENCE SHALL INCLUDE  
14 THE TESTIMONY OF A PSYCHIATRIST TO EXPLAIN THE TREATMENT PLAN, WHO:

15 (I) MAY BE BUT NEED NOT BE THE EXAMINING PSYCHIATRIST  
16 WHO TESTIFIED UNDER SUBSECTION (D) OF THIS SECTION; AND

17 (II) HAS MET WITH THE RESPONDENT OR HAS MADE A GOOD  
18 FAITH EFFORT TO MEET WITH THE RESPONDENT, IS FAMILIAR WITH THE RELEVANT  
19 HISTORY, TO THE EXTENT PRACTICABLE, AND HAS EXAMINED THE TREATMENT  
20 PLAN.

21 (2) FOR EACH CATEGORY OF PROPOSED TREATMENT, THE  
22 PSYCHIATRIST SHALL STATE THE CLINICAL BASIS FOR THE DETERMINATION THAT  
23 THE TREATMENT IS ESSENTIAL TO THE MAINTENANCE OF THE RESPONDENT'S  
24 HEALTH OR SAFETY.

25 (3) THE PSYCHIATRIST SHALL TESTIFY AS TO THE PARTICIPATION, IF  
26 ANY, OF THE RESPONDENT IN THE DEVELOPMENT OF THE TREATMENT PLAN.

27 ~~(4) IF THE RESPONDENT HAS EXECUTED A MENTAL HEALTH ADVANCE~~  
28 ~~DIRECTIVE, THE PSYCHIATRIST SHALL STATE THE CONSIDERATION GIVEN TO ANY~~  
29 ~~DIRECTION INCLUDED IN THE ADVANCE DIRECTIVE IN DEVELOPING THE~~  
30 ~~TREATMENT PLAN.~~

31 ~~10-6A-07. 10-6A-08.~~

32 (A) IF, AFTER HEARING ALL RELEVANT EVIDENCE, THE COURT DOES NOT  
33 FIND BY CLEAR AND CONVINCING EVIDENCE THAT THE RESPONDENT MEETS THE

1 CRITERIA FOR ASSISTED OUTPATIENT TREATMENT, THE COURT SHALL DENY THE  
2 PETITION.

3 (B) (1) IF, AFTER HEARING ALL RELEVANT EVIDENCE, THE COURT FINDS  
4 BY CLEAR AND CONVINCING EVIDENCE THAT THE RESPONDENT MEETS THE  
5 CRITERIA FOR ASSISTED OUTPATIENT TREATMENT, THE COURT SHALL ORDER THE  
6 RESPONDENT TO COMPLY WITH ASSISTED OUTPATIENT TREATMENT FOR A PERIOD  
7 NOT TO EXCEED 1 YEAR.

8 (2) THE ORDER OF THE COURT SHALL INCORPORATE A TREATMENT  
9 PLAN THAT:

10 (I) IS LIMITED IN SCOPE TO THE ELEMENTS INCLUDED IN THE  
11 TREATMENT PLAN PRESENTED TO THE COURT UNDER ~~§ 10-6A-05~~ § 10-6A-06 OF  
12 THIS SUBTITLE; AND

13 (II) INCLUDES ONLY THOSE ELEMENTS THAT THE COURT FINDS  
14 BY CLEAR AND CONVINCING EVIDENCE TO BE ESSENTIAL TO THE MAINTENANCE OF  
15 THE RESPONDENT'S HEALTH OR SAFETY.

16 ~~10-6A-08.~~ 10-6A-09.

17 (A) IN THIS SECTION, "MATERIAL CHANGE" MEANS AN ADDITION OR A  
18 DELETION OF A CATEGORY OF SERVICES TO OR FROM THE TREATMENT PLAN.

19 (B) AT ANY TIME DURING THE PERIOD OF AN ORDER FOR ASSISTED  
20 OUTPATIENT TREATMENT, A PETITIONER, A CARE COORDINATION TEAM MEMBER,  
21 OR A RESPONDENT MAY MOVE THAT THE COURT STAY, VACATE, OR MODIFY THE  
22 ORDER.

23 (C) A RESPONDENT UNDER AN ORDER UNDER THIS SUBTITLE IS NOT  
24 REQUIRED TO COMPLY WITH A MATERIAL CHANGE TO THE TREATMENT PLAN  
25 UNLESS THE MATERIAL CHANGE IS EXPLICITLY AUTHORIZED IN ADVANCE BY THE  
26 TERMS OF THE ORDER OR INCORPORATED BY THE COURT ON A FINDING BY CLEAR  
27 AND CONVINCING EVIDENCE THAT THE MATERIAL CHANGE IS ESSENTIAL TO THE  
28 MAINTENANCE OF THE RESPONDENT'S HEALTH OR SAFETY.

29 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NOT LATER  
30 THAN 30 DAYS AFTER RECEIVING A MOTION, AND ANY TIMELY ~~REPLIES~~ RESPONSES  
31 TO THE MOTION, FOR A MATERIAL CHANGE TO THE INCORPORATED TREATMENT  
32 PLAN, THE COURT SHALL ~~HOLD A HEARING~~ ~~RESPOND TO THE MOTION~~ ISSUE A  
33 RULING ON THE MOTION AND ANY TIMELY RESPONSES TO THE MOTION.



1           (2) IF THE RESPONDENT INFORMS THE COURT THAT THE  
2 RESPONDENT AGREES TO THE PROPOSED MATERIAL CHANGE, THE COURT MAY  
3 INCORPORATE THE MATERIAL CHANGE INTO THE TREATMENT PLAN ~~WITHOUT A~~  
4 ~~HEARING.~~

5           (E) A RESPONDENT UNDER AN ASSISTED OUTPATIENT TREATMENT ORDER  
6 IS REQUIRED TO COMPLY WITH NONMATERIAL CHANGES TO THE TREATMENT PLAN  
7 WITHOUT FURTHER ACTION BY THE COURT.

8           (F) (1) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE A TREATING  
9 PSYCHIATRIST TO DELAY CHANGES TO THE RESPONDENT'S TREATMENT PLAN AS  
10 CIRCUMSTANCES MAY IMMEDIATELY REQUIRE.

11           (2) IF A TREATING PSYCHIATRIST MAKES A CHANGE TO A TREATMENT  
12 PLAN DUE TO IMMEDIATE NECESSITY, A CARE COORDINATION TEAM MEMBER SHALL  
13 NOTIFY THE FOLLOWING:

14                   (I) THE RESPONDENT;

15                   (II) THE RESPONDENT'S ATTORNEY; AND

16                   (III) ~~THE ATTORNEYS FOR THE PETITIONER; AND~~

17                   ~~(IV)~~ IF APPLICABLE AND KNOWN, THE RESPONDENT'S  
18 GUARDIAN AND HEALTH CARE AGENT.

19 ~~10-6A-09.~~ 10-6A-10.

20           ~~(A) IF, AFTER REASONABLE EFFORTS TO SOLICIT TREATMENT ADHERENCE,~~  
21 ~~THE RESPONDENT HAS MATERIALLY FAILED TO COMPLY WITH AN ORDER OF~~  
22 ~~ASSISTED OUTPATIENT TREATMENT UNDER THIS SUBTITLE, AND THE FAILURE TO~~  
23 ~~ADHERE IS RELEVANT TO THE FACTORS GIVING RISE TO THE PETITION, THE~~  
24 ~~FAILURE TO ADHERE MAY BE CONSIDERED, TOGETHER WITH ANY OTHER RELEVANT~~  
25 ~~FACTORS, IN DETERMINING WHETHER THE RESPONDENT MEETS THE CRITERIA FOR~~  
26 ~~AN EMERGENCY EVALUATION UNDER § 10-622 OF THIS TITLE.~~

27           ~~(B)~~ (A) IF THE CARE COORDINATION TEAM HAS KNOWLEDGE OF A  
28 PETITION FOR EMERGENCY EVALUATION THAT WAS FILED FOR THE RESPONDENT, A  
29 CARE COORDINATION TEAM MEMBER SHALL NOTIFY THE COURT IN WRITING OF THE  
30 REASONS FOR AND FINDINGS OF THE EVALUATION.

31           ~~(C)~~ (B) IN RESPONSE TO THE NOTICE OR AT ANY TIME DURING THE  
32 PERIOD OF THE ASSISTED OUTPATIENT TREATMENT ORDER AND ON ITS OWN

1 MOTION, THE COURT MAY CONVENE THE PARTIES FOR A CONFERENCE TO REVIEW  
2 THE PROGRESS OF THE RESPONDENT.

3 ~~(D)~~ (C) TO THE EXTENT PRACTICABLE, IF A PETITION FOR EMERGENCY  
4 EVALUATION OF THE RESPONDENT IS FILED OR IF THE RESPONDENT IS THE  
5 SUBJECT OF OTHER COURT INVOLVEMENT, THE PETITIONER SHALL NOTIFY THE  
6 RESPONDENT'S CARE COORDINATION TEAM OF THE PETITION OR OTHER COURT  
7 INVOLVEMENT.

8 ~~(E)~~ (D) FAILURE TO COMPLY WITH AN ORDER OF ASSISTED OUTPATIENT  
9 TREATMENT IS NOT GROUNDS FOR A FINDING OF CONTEMPT OF COURT OR FOR  
10 INVOLUNTARY ADMISSION UNDER THIS TITLE.

11 ~~10-6A-10.~~ 10-6A-11.

12 (A) WITHIN 30 DAYS BEFORE THE EXPIRATION OF AN ORDER OF ASSISTED  
13 OUTPATIENT TREATMENT, ~~A PETITIONER MAY PETITION THE COURT TO ORDER~~  
14 ~~CONTINUED ASSISTED OUTPATIENT TREATMENT FOR A PERIOD NOT TO EXCEED 1~~  
15 ~~YEAR FROM THE DATE OF THE EXPIRATION OF THE CURRENT ORDER THE~~  
16 RESPONDENT'S CARE COORDINATION TEAM SHALL PROVIDE THE RESPONDENT  
17 WITH A PLAN FOR CONTINUED TREATMENT, IF CONSIDERED NECESSARY.

18 ~~(B) IF THE COURT'S DISPOSITION OF A PETITION FILED UNDER SUBSECTION~~  
19 ~~(A) OF THIS SECTION DOES NOT OCCUR BEFORE THE DATE OF THE EXPIRATION OF~~  
20 ~~THE CURRENT ORDER, THE CURRENT ORDER SHALL REMAIN IN EFFECT UNTIL THE~~  
21 ~~DISPOSITION.~~

22 ~~(C) THE PROCEDURES FOR OBTAINING ANY ORDER UNDER THIS SECTION~~  
23 ~~SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE.~~

24 ~~(D) IF AN ASSISTED OUTPATIENT TREATMENT ORDER IS VACATED OR~~  
25 ~~ALLOWED TO EXPIRE, THE CARE COORDINATION TEAM SHALL PROVIDE THE~~  
26 ~~RESPONDENT WITH A PLAN FOR RECOMMENDED CONTINUED TREATMENT AND~~  
27 ~~ASSIST WITH ANY NECESSARY TRANSFER TO APPROPRIATE PROVIDERS.~~

28 ~~10-6A-11.~~ 10-6A-12.

29 (A) ON OR BEFORE DECEMBER 1 EACH YEAR, THE ADMINISTRATION SHALL  
30 SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE  
31 STATE GOVERNMENT ARTICLE, A REPORT ON EACH PROGRAM ESTABLISHED  
32 UNDER THIS SUBTITLE THAT INCLUDES:

1           (1) THE NUMBER OF INDIVIDUALS WHO WERE ORDERED TO RECEIVE  
2 ASSISTED OUTPATIENT TREATMENT DURING THE IMMEDIATELY PRECEDING  
3 12-MONTH PERIOD;

4           (2) FOR EACH INDIVIDUAL ORDERED TO RECEIVE AN ASSISTED  
5 OUTPATIENT TREATMENT DURING THE IMMEDIATELY PRECEDING 12-MONTH  
6 PERIOD, THE DE-IDENTIFIED DATA ON THE FOLLOWING FOR THE 12-MONTH  
7 PERIOD IMMEDIATELY PRECEDING THE ASSISTED OUTPATIENT TREATMENT ORDER  
8 AND THE MOST RECENT 12-MONTH PERIOD FOLLOWING THE ASSISTED OUTPATIENT  
9 TREATMENT ORDER:

10           (I) INCIDENCES OF HOSPITALIZATIONS, INCLUDING THE  
11 NUMBER OF DAYS SPENT HOSPITALIZED;

12           (II) ARRESTS; AND

13           (III) NUMBER OF DAYS SPENT INCARCERATED; ~~AND~~

14           ~~(IV) NUMBER OF DAYS SPENT UNHOUSED; AND~~

15           (3) PROGRAM STATISTICS FOR THE IMMEDIATELY PRECEDING  
16 12-MONTH PERIOD, INCLUDING:

17           (I) THE NUMBER OF PETITIONS FILED;

18           (II) THE NUMBER OF RESPONDENTS UNDER AN ORDER FOR  
19 ASSISTED OUTPATIENT TREATMENT, INCLUDING THOSE UNDER ORDER BY  
20 STIPULATED AGREEMENT;

21           (III) ~~THE NUMBER OF RESPONDENTS UNDER RENEWED ORDERS~~  
22 ~~FOR ASSISTED OUTPATIENT TREATMENT, INCLUDING THOSE UNDER ORDER BY~~  
23 ~~STIPULATED AGREEMENT~~ VOLUNTARY AGREEMENTS MADE BY RESPONDENTS TO  
24 COMPLY WITH A TREATMENT PLAN;

25           (IV) DE-IDENTIFIED DEMOGRAPHIC DATA FOR ASSISTED  
26 OUTPATIENT TREATMENT PROGRAM RECIPIENTS, INCLUDING ~~RACE AND~~  
27 ~~ETHNICITY~~, TO THE EXTENT AVAILABLE:

28                   1. AVERAGE AGE;

29                   2. LIVING SITUATION AT THE TIME OF THE ISSUANCE OF  
30 THE ASSISTED OUTPATIENT TREATMENT ORDER;



1 (III) THE PROVISION OF SERVICES PROVIDED UNDER AN  
2 ASSISTED OUTPATIENT TREATMENT ORDER.

3 (B) EACH COUNTY SHALL PROVIDE INFORMATION TO THE  
4 ADMINISTRATION THAT THE ADMINISTRATION DETERMINES IS NECESSARY FOR  
5 THE PURPOSE OF COMPLYING WITH SUBSECTION (A) OF THIS SECTION.

6 (C) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT OR PREVENT THE  
7 COLLECTION OF ADDITIONAL DATA, INCLUDING ADDITIONAL DEMOGRAPHIC  
8 INFORMATION OR OTHER DATA NECESSARY FOR PROGRAM EVALUATION OR  
9 IMPROVEMENT, AS REQUESTED BY THE GENERAL ASSEMBLY OR THE EXECUTIVE  
10 BRANCH OF STATE GOVERNMENT.

11 SECTION ~~2~~ 2. AND BE IT FURTHER ENACTED, That, on or before January 1,  
12 2025, a county shall notify the Maryland Department of Health regarding whether the  
13 county intends to establish an assisted outpatient treatment program under §  
14 10-6A-03(a)(1) of the Health – General Article, as enacted by Section ~~2~~ 1 of this Act.

15 SECTION ~~3~~ ~~4~~ 3. AND BE IT FURTHER ENACTED, That Section ~~2~~ 1 of this Act  
16 shall take effect July 1, 2025. *It shall remain effective for a period of 5 years and, at the end*  
17 *of June 30, 2030, Section 1 of this Act, with no further action required by the General*  
18 *Assembly, shall be abrogated and of no further force and effect.*

19 SECTION ~~4~~ ~~5~~ 4. AND BE IT FURTHER ENACTED, That, except as provided in  
20 Section ~~3~~ ~~4~~ 3 of this Act, this Act shall take effect July 1, 2024.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.