

Chapter 177

(Senate Bill 707)

AN ACT concerning

**Mental Health Law – ~~Definition of~~ Danger to the Life or Safety of the Individual or of Others – ~~Definition and Reports on Emergency Evaluation Petitions –~~
Definition
(Right to Treatment)**

FOR the purpose of defining “danger to the life or safety of the individual or of others” for purposes of the involuntary admission of individuals with mental disorders to a facility or Veterans’ Administration hospital and the emergency evaluation of individuals with mental disorders; ~~requiring the Behavioral Health Administration to submit to the General Assembly certain reports regarding the use of petitions for emergency evaluation;~~ and generally relating to involuntary admissions and emergency evaluations of individuals with mental disorders.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–601
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

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

Article – Health – General

10–601.

(a) In this subtitle the following words have the meanings indicated.

(b) “Clinical social worker” means an individual who is licensed under Title 19 of the Health Occupations Article to practice clinical social work.

(c) **“DANGER TO THE LIFE OR SAFETY OF THE INDIVIDUAL OR OF OTHERS” MEANS THERE IS, AS A RESULT OF A MENTAL DISORDER, A SUBSTANTIAL RISK, ~~WHETHER OR NOT THE RISK IS IMMINENT~~ BASED ON CONDUCT THAT IS RECENT AND RELEVANT TO THE DANGER THAT THE INDIVIDUAL MAY PRESENT AND IN CONSIDERATION OF THE INDIVIDUAL’S CURRENT CONDITION AND, IF AVAILABLE, RECENT PERSONAL, MEDICAL, AND PSYCHIATRIC HISTORY, THAT AS A RESULT OF ~~THE MENTAL DISORDER~~ THE INDIVIDUAL WILL:**

(1) CAUSE SERIOUS BODILY HARM TO THE INDIVIDUAL OR ANOTHER INDIVIDUAL; OR

~~**(2) ENGAGE IN CONDUCT THAT WILL RESULT IN CRIMINAL JUSTICE INVOLVEMENT;**~~

~~**(3)**~~ **(2) BE UNABLE, EXCEPT FOR REASONS OF INDIGENCE, TO PROVIDE FOR THE INDIVIDUAL’S BASIC NEEDS, INCLUDING FOOD, CLOTHING, SHELTER, MEDICAL CARE, SELF-PROTECTION, OR SAFETY, TO SUCH A DEGREE AS TO CREATE A SUBSTANTIAL RISK OF SERIOUS BODILY HARM, SERIOUS ILLNESS, OR DEATH IN THE NEAR FUTURE.; OR**

~~**(4) SUFFER SUBSTANTIAL DETERIORATION OF THE INDIVIDUAL’S JUDGMENT, REASONING, OR ABILITY TO CONTROL BEHAVIOR, PROVIDED THAT THE INDIVIDUAL IS CURRENTLY SUBSTANTIALLY IMPAIRED IN THE INDIVIDUAL’S ABILITY TO MAKE A RATIONAL AND INFORMED DECISION AS TO WHETHER TO SUBMIT TO TREATMENT, THAT WILL LIKELY RESULT IN THE INDIVIDUAL MEETING ONE OF THE CRITERIA ENUMERATED UNDER THIS SUBSECTION.**~~

[(c)] (D) “Electronic record” means a document communicated, received, or stored by electronic means.

[(d)] (E) “Licensed clinical marriage and family therapist” means an individual who is licensed under Title 17, Subtitle 3A of the Health Occupations Article to practice clinical marriage and family therapy.

[(e)] (F) “Licensed clinical professional counselor” means an individual who is licensed under Title 17, Subtitle 3A of the Health Occupations Article to practice clinical professional counseling.

[(f)] (G) “Physician” means an individual who is licensed under Title 14 of the Health Occupations Article to practice medicine in this State.

[(g)] (H) “Psychiatric nurse practitioner” means an individual who is:

(1) Licensed as a registered nurse and certified as a nurse practitioner under Title 8 of the Health Occupations Article; and

(2) Practicing in the State as a certified registered nurse practitioner—psychiatric mental health.

[(h)] (I) “Psychologist” means an individual who is licensed under Title 18 of the Health Occupations Article to practice psychology.

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) (1) Subject paragraph (2) of this subsection, on or before December 15, 2026, 2027, 2028, and 2029, the Behavioral Health Administration shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a report regarding the use of petitions for emergency evaluation.~~

~~(2) Each report submitted under paragraph (1) of this subsection shall include data for petitions for emergency evaluations made from October 1 of the year immediately preceding the year in which the report is submitted to September 30 of the year in which the report is submitted, both inclusive.~~

~~(3) The Behavioral Health Administration shall make each report submitted under paragraph (1) of this subsection available to the public.~~

~~(b) The report shall include:~~

~~(1) the number of petitions for emergency evaluation made in the State disaggregated by:~~

~~(i) the zip codes of where the individuals who were the subject of an emergency petition resided;~~

~~(ii) the age of the individuals who were the subject of an emergency petition;~~

~~(iii) the race of the individuals who were the subject of an emergency petition;~~

~~(iv) the ethnicity of the individuals who were the subject of an emergency petition;~~

~~(v) the gender of the individuals who were the subject of an emergency petition; and~~

~~(vi) any co-occurring disabilities of the individuals who were the subject of an emergency petition;~~

~~(2) the number of emergency petitions made in the State by:~~

~~(i) a health care provider;~~

~~(ii) a member of law enforcement; or~~

~~(iii) another interested person;~~

~~(3) the reason the petitions for emergency evaluation were made, including:~~

~~(i) threat of serious bodily harm to self;~~

~~(ii) action of serious bodily harm to self;~~

~~(iii) threat of serious bodily harm to others;~~

~~(iv) action of serious bodily harm to others; or~~

~~(v) substantial inability to meet basic needs to such a degree as to create a substantial risk of:~~

~~1. serious bodily harm;~~

~~2. serious illness; or~~

~~3. death;~~

~~(4) whether and how use of force was employed, subject to the requirements established in § 3-524 of the Public Safety Article, in serving each petition; and~~

~~(5) the result of each petition for emergency evaluation, including whether the individual was:~~

~~(i) not served or unable to be located within the required time frame;~~

~~(ii) evaluated by a health professional and not admitted for inpatient care;~~

~~(iii) evaluated by a health professional and voluntarily admitted for inpatient care; or~~

~~(iv) evaluated by a health professional and involuntarily admitted for inpatient care.~~

SECTION ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 28, 2026.