

HB0921/593227/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 921

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Moreno**” and substitute “**Delegates Moreno, Cardin, Phillips, Simmons, McComas, Arikan, Taylor, Simpson, Moon, Conaway, Woods, and Williams**”.

AMENDMENT NO. 2

On page 1, strike beginning with “limiting” in line 3 down through “housing;” in line 6 and substitute “altering certain requirements for regulations adopted by the Department of Juvenile Services relating to the placement of a minor in restrictive housing and confinement;”; and strike in their entirety lines 8 through 12, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Human Services

Section 9–227(b)(2)

Annotated Code of Maryland

(2019 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 3

On pages 1 through 4, strike in their entirety the lines beginning with line 15 on page 1 through line 24 on page 4, inclusive, and substitute:

Article – Human Services

9–227.

(b) The Department shall:

(2) adopt regulations applicable to residential facilities it operates that:

(i) prohibit the use of locked door seclusion and restraints as punishment [and describe the circumstances under which locked door seclusion and restraints may be used], FOR CONVENIENCE, AS A STAFFING SUBSTITUTE, OR IN RETALIATION;

(ii) SPECIFY THAT LOCKED DOOR SECLUSION AND RESTRAINTS MAY BE USED ONLY WHEN ALL LESS RESTRICTIVE MEASURES HAVE BEEN EXHAUSTED;

(iii) LIMIT THE USE OF LOCKED DOOR SECLUSION AND RESTRAINTS TO THOSE INSTANCES WHERE THERE IS AN IMMEDIATE AND SUBSTANTIAL RISK OF PHYSICAL HARM TO THE CHILD OR OTHERS, OR IMMINENT RISK OF ESCAPE;

(iv) REQUIRE THAT THE USE OF ANY LOCKED DOOR SECLUSION:

1. BE TRAUMA-INFORMED, DEVELOPMENTALLY APPROPRIATE, AND TIME-LIMITED;

2. REQUIRE VISUAL INSPECTION OF THE CHILD BY DIRECT CARE STAFF IN INTERVALS OF LESS THAN 15 MINUTES;

3. REQUIRE AN INITIAL MEDICAL AND BEHAVIORAL HEALTH ASSESSMENT OF THE CHILD TO BE CONDUCTED NOT LATER THAN 30 MINUTES AFTER THE INITIATION OF THE LOCKED DOOR SECLUSION;

4. REQUIRE REPEATED MEDICAL AND BEHAVIORAL HEALTH ASSESSMENTS AT REGULAR INTERVALS FOLLOWING AN INITIAL MEDICAL EXAMINATION UNDER ITEM 3 OF THIS ITEM;

5. PROVIDE SCHEDULED MEALS AND SNACKS, ACCESS TO WATER, BATHROOM ACCESS, ACCESS TO EDUCATIONAL SERVICES AND MATERIALS, AND ACCESS TO HYGIENE ITEMS;

6. BE TERMINATED IMMEDIATELY ONCE THE IMMEDIATE AND SUBSTANTIAL THREAT HAS PASSED; AND

7. BE FOLLOWED BY A DEBRIEFING WITH A BEHAVIORAL HEALTH REVIEW TO PREVENT FUTURE USE FOR THE CHILD; and

[(ii) (v) prohibit abuse of a child; and”.