

HB1117/573821/1

BY: Health Committee

AMENDMENTS TO HOUSE BILL 1117
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wims” and substitute “Wims, Alston, Bagnall, Cullison, Guzzone, Hill, Hutchinson, Kipke, Martinez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, White Holland, and Woorman”; strike in their entirety lines 2 and 3 and substitute:

“Virginia I. Jones Alzheimer’s Disease and Related Dementias Council and the Advisory Stakeholder Group on Autism–Related Needs – Recommendations for Elopement Response Devices”;

strike beginning with “requiring” in line 4 down through “circumstances” in line 12 and substitute “authorizing the Virginia I. Jones Alzheimer’s Disease and Related Dementias Council and the Advisory Stakeholder Group on Autism–Related Needs to recommend the use of elopement response devices as safety tools for certain individuals who are at risk of elopement”; after line 13, insert:

“BY repealing and reenacting, without amendments,
Article - Health - General
Section 13-3201(a) and (b)
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)”;

and strike beginning with “13–32B–01” in line 16 down through “15–160” in line 17 and substitute “13–3206.1”.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 11 on page 2, inclusive, and substitute:

“BY adding to
Article - Human Services
Section 7-112.1
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“13-3201.

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

(b) “Council” means the Virginia I. Jones Alzheimer’s Disease and Related Dementias Council.

13-3206.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (1) “ELOPEMENT” MEANS BEHAVIOR IN WHICH AN INDIVIDUAL WITH A COGNITIVE, DEVELOPMENTAL, OR NEUROLOGICAL CONDITION LEAVES OR ATTEMPTS TO LEAVE A SAFE AND SUPERVISED AREA WITHOUT:

1. THE ABILITY TO RECOGNIZE OR AVOID RISK; OR
2. THE ABILITY TO RETURN SAFELY WITHOUT ASSISTANCE.

(II) “ELOPEMENT” INCLUDES WANDERING THAT CREATES A RISK OF HARM, INJURY, OR DEATH.

(3) (I) “ELOPEMENT RESPONSE DEVICE” MEANS AN ASSISTIVE TECHNOLOGY DEVICE OR A MEDICAL SAFETY DEVICE THAT IS:

1. A WEARABLE, PORTABLE, OR INTEGRATED ELECTRONIC DEVICE OR SYSTEM THAT USES GLOBAL POSITIONING SYSTEM TECHNOLOGY, RADIO FREQUENCY IDENTIFICATION TECHNOLOGY, BLUETOOTH, OR SIMILAR TECHNOLOGY TO SUPPORT THE IDENTIFICATION, MONITORING, OR RAPID LOCATION OF AN INDIVIDUAL AT RISK OF ELOPEMENT DUE TO A COGNITIVE, DEVELOPMENTAL, NEUROLOGICAL, OR MEMORY-RELATED CONDITION; AND

2. USED FOR PURPOSES OF PATIENT SAFETY, FUNCTIONAL INDEPENDENCE, AND PARTICIPATION IN HOME OR COMMUNITY SETTINGS.

(II) “ELOPEMENT RESPONSE DEVICE” INCLUDES:

1. A DEVICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT HAS FEATURES THAT ENABLE THE SECURE STORAGE AND TRANSMISSION OF CRITICAL INDIVIDUAL INFORMATION TO CAREGIVERS, EMERGENCY PERSONNEL, OR FIRST RESPONDERS TO FACILITATE TIMELY, INFORMED, AND COORDINATED RESPONSE IN ELOPEMENT EMERGENCY SITUATIONS; AND

2. ANY ELECTRONIC MONITORING SERVICES NECESSARY FOR A DEVICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH TO FUNCTION AS A MEDICAL SAFETY AND ASSISTIVE TOOL.

(B) THE COUNCIL MAY RECOMMEND THE USE OF ELOPEMENT RESPONSE DEVICES AS SAFETY TOOLS FOR INDIVIDUALS WHO ARE AT RISK OF ELOPEMENT BECAUSE OF ALZHEIMER'S DISEASE AND RELATED DEMENTIAS.

Article – Human Services

7-112.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "ELOPEMENT" MEANS BEHAVIOR IN WHICH AN INDIVIDUAL WITH A COGNITIVE, DEVELOPMENTAL, OR NEUROLOGICAL CONDITION LEAVES OR ATTEMPTS TO LEAVE A SAFE AND SUPERVISED AREA WITHOUT:

1. THE ABILITY TO RECOGNIZE OR AVOID RISK; OR
2. THE ABILITY TO RETURN SAFELY WITHOUT ASSISTANCE.

(II) "ELOPEMENT" INCLUDES WANDERING THAT CREATES A RISK OF HARM, INJURY, OR DEATH.

(3) (I) "ELOPEMENT RESPONSE DEVICE" MEANS AN ASSISTIVE TECHNOLOGY OR A MEDICAL SAFETY DEVICE THAT IS:

1. A WEARABLE, PORTABLE, OR INTEGRATED ELECTRONIC DEVICE OR SYSTEM THAT USES GLOBAL POSITIONING SYSTEM TECHNOLOGY, RADIO FREQUENCY IDENTIFICATION TECHNOLOGY, BLUETOOTH, OR SIMILAR TECHNOLOGY TO SUPPORT THE IDENTIFICATION, MONITORING, OR RAPID LOCATION OF AN INDIVIDUAL AT RISK OF ELOPEMENT DUE TO A COGNITIVE, DEVELOPMENTAL, NEUROLOGICAL, OR MEMORY-RELATED CONDITION; AND

2. USED FOR PURPOSES OF PATIENT SAFETY, FUNCTIONAL INDEPENDENCE, AND PARTICIPATION IN HOME, COMMUNITY, OR EDUCATIONAL SETTINGS.

(II) "ELOPEMENT RESPONSE DEVICE" INCLUDES:

1. A DEVICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT HAS FEATURES THAT ENABLE THE SECURE STORAGE AND TRANSMISSION OF CRITICAL INDIVIDUAL INFORMATION TO CAREGIVERS, EMERGENCY PERSONNEL, OR FIRST RESPONDERS TO FACILITATE TIMELY, INFORMED, AND COORDINATED RESPONSE IN ELOPEMENT EMERGENCY SITUATIONS; AND

2. ANY ELECTRONIC MONITORING SERVICES NECESSARY FOR A DEVICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH TO FUNCTION AS A MEDICAL SAFETY AND ASSISTIVE TOOL.

(B) THE ADVISORY STAKEHOLDER GROUP ON AUTISM-RELATED NEEDS MAY RECOMMEND THE USE OF ELOPEMENT RESPONSE DEVICES AS

**SAFETY TOOLS FOR INDIVIDUALS WHO ARE AT RISK OF ELOPEMENT BECAUSE OF
AUTISM.**

On pages 2 through 8, strike in their entirety the lines beginning with line 15 on page 2 through line 5 on page 8, inclusive.

On page 8, in line 6, strike “5.” and substitute “2.”; and strike beginning with “, except” in line 6 down through “Act,” in line 7.