



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Board of Social Work Examiners

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2020 SESSION POSITION PAPER

BILL NO: SB 541

COMMITTEE: Senate Finance

POSITION: Support with attached Amendments (SWA)

TITLE: – Mental Health – Involuntary Admissions – Procedures

BILL ANALYSIS: The purpose of this bill allows for Psychiatric Nurse Practitioners to join physicians and psychologists as licensed professionals who can examine an individual confined for observation in a hospital or facility within 24 hours to determine if the individual meets the criteria for involuntary admission.

POSITION AND RATIONALE: The Maryland Board of Social Work Examiners (“Board”) supports the bill with the attached Board-approved amendments.

The Board supports SB 541 and recommends an amendment to permit Licensed Certified Social Workers -Clinical to also be allowed to perform similar examinations. Clinical social workers provide the majority of mental health services in the State of Maryland and this amendment would increase the trained workforce capable of providing such services.

The Board’s proposed amendments to SB 541 are listed at the end of this position paper on page two. The Board respectfully requests a favorable report on SB 541 with the requested amendments.

For more information, please contact the Board’s Executive Director, Dr. Stanley Weinstein, at 410-764-4722 or stanley.weinstein@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

Amendment No. 1

On page 1, lines 10-12, add new language:

“...requiring that certain regulations require that an impartial hearing officer receive testimony from a physician, psychologist, **licensed certified social worker-clinical**, or psychiatric nurse practitioner who examined the confined individual;

Amendment No. 2

On page 2, lines 20-24, add new language:

(2) (I) AN INDIVIDUAL CONFINED ON OBSERVATION STATUS SHALL BE EXAMINED WITHIN 24 HOURS OF THE CONFINEMENT BY A PHYSICIAN, PSYCHOLOGIST, LICENSED CERTIFIED SOCIAL WORKER-CLINICAL, OR PSYCHIATRIC NURSE PRACTITIONER.

(II) IF THE PHYSICIAN, PSYCHOLOGIST, LICENSED CERTIFIED SOCIAL WORKER-CLINICAL, OR PSYCHIATRIC NURSE PRACTITIONER PERFORMING THE EXAMINATION FINDS THAT THE INDIVIDUAL DOES NOT MEET THE REQUIREMENTS FOR ADMISSION UNDER THIS SECTION, THE INDIVIDUAL SHALL BE:

Amendment No. 3

On page 3, lines 20-21, add new language:

(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL REQUIRE THAT THE IMPARTIAL HEARING OFFICER RECEIVE TESTIMONY FROM THE PHYSICIAN, PSYCHOLOGIST, LICENSED CERTIFIED SOCIAL WORKER-CLINICAL, OR PSYCHIATRIC NURSE PRACTITIONER WHO EXAMINED THE CONFINED INDIVIDUAL.