



**HB0537/793221/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

04 FEB 21  
16:10:29

BY: Delegate Ruth  
(To be offered in the Health and Government Operations  
Committee)

AMENDMENTS TO HOUSE BILL 537

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “petitioner for emergency evaluation” and substitute “individual”; in lines 8, 9, and 10, in each instance, strike “petitioner” and substitute “individual”; in line 7, after “circumstances;” insert “requiring a peace officer to respond promptly and assist in the transportation of an emergency evaluatee to an emergency facility if a certain individual requests assistance;”; in line 11, after “evaluatee;” insert “establishing certain immunity from certain civil liability for certain individuals;”; in line 15, after “Section” insert “10-601,”; in the same line, strike “and” and substitute a comma; and in the same line, after “10-624” insert “, and 10-629”.

AMENDMENT NO. 2

On page 1, after line 25, insert:

“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) “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.

(Over)

(d) “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.

**(E) “NURSE PRACTITIONER” MEANS AN INDIVIDUAL WHO IS LICENSED AS A REGISTERED NURSE AND CERTIFIED AS A NURSE PRACTITIONER UNDER TITLE 8 OF THE HEALTH OCCUPATIONS ARTICLE.**

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

**(G) “PHYSICIAN ASSISTANT” MEANS AN INDIVIDUAL WHO IS LICENSED UNDER TITLE 15 OF THE HEALTH OCCUPATIONS ARTICLE TO PRACTICE MEDICINE WITH PHYSICIAN SUPERVISION.**

~~[(f)]~~ **(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.

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

On page 4, in lines 6, 11, 22, and 34, in each instance, after “**PHYSICIAN,**” insert “**PHYSICIAN ASSISTANT,**”; in lines 8, 13, 24, and 36, in each instance, strike the second “**PSYCHIATRIC**”; after line 21, insert:

“(2) A PEACE OFFICER SHALL RESPOND PROMPTLY AND ASSIST IN THE TRANSPORTATION OF AN EMERGENCY EVALUEE TO AN EMERGENCY FACILITY IF A PHYSICIAN, PHYSICIAN ASSISTANT, PSYCHOLOGIST, CLINICAL SOCIAL WORKER, LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL NURSE SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, NURSE PRACTITIONER, LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, OR HEALTH OFFICER OR DESIGNEE OF A HEALTH OFFICER REQUESTS THE PEACE OFFICER’S ASSISTANCE.”;

in line 22, strike “(2)” and substitute “**(3)**”; and in line 30, strike “(3)” and substitute “**(4)**”.

On page 5, in line 3, strike “(4)” and substitute “**(5)**”; in line 6, strike “(5)” and substitute “**(6)**”; and after line 18, insert:

“10-629.

(a) Any petitioner who submits or completes a petition under Part IV of this subtitle shall have the immunity from liability described under § 5-624(b) of the Courts and Judicial Proceedings Article.

(b) Any PHYSICIAN, PHYSICIAN ASSISTANT, PSYCHOLOGIST, CLINICAL SOCIAL WORKER, LICENSED CLINICAL PROFESSIONAL COUNSELOR, CLINICAL NURSE SPECIALIST IN PSYCHIATRIC AND MENTAL HEALTH NURSING, NURSE PRACTITIONER, LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, HEALTH OFFICER OR DESIGNEE OF A HEALTH OFFICER, OR peace officer who acts as a custodian of an emergency evaluatee shall have the immunity from liability described under § 5-624(c) of the Courts and Judicial Proceedings Article.

(c) An emergency facility that acts in compliance with the provisions of Part IV of this subtitle shall have the immunity from liability described under § 5–624(d) of the Courts and Judicial Proceedings Article.

(d) An agent or employee of an emergency facility who acts in compliance with the provisions of Part IV of this subtitle shall have the immunity from liability described under § 5–624(e) of the Courts and Judicial Proceedings Article.”.