



Sheppard Pratt

**Written Testimony
Senate Rules Committee
House Health and Government Operations Committee
SB928 / HB1344 Mental Health Law - Reform of Laws and Delivery of Service
March 9, 2021**

Position: SUPPORT

Sheppard Pratt thanks the Maryland General Assembly for your longstanding leadership and support of mental and behavioral health providers in Maryland. This testimony outlines the Sheppard Pratt support for SB928/HB1344 Mental Health Law - Reform of Laws and Delivery of Service.

Severe mental illness such as schizophrenia and bipolar disorder is sometimes accompanied by a neurological deficit called anosognosia, causing the person to lack awareness of their illness and need for treatment. Simply put, many in psychiatric crisis do not know they are ill. While voluntary engagement is always preferable, involuntary evaluation and hospital admission is sometimes the only way individuals in this predicament can receive needed effective treatment. Research shows that early treatment intervention reduces brain damage, requires shorter hospitalizations, results in better long-term outcomes, and helps prevent suicides, violence, homelessness, and incarceration.

Unfortunately, current law can be a barrier to timely treatment. Current law requires that to qualify for involuntary intervention, an individual must present “*a danger to the life or safety of the individual or of others.*” Without statutory guidance, the threshold is narrowly interpreted by police, outpatient & ER doctors, and local court judges to require *imminent danger of suicide or violence*. The higher interpreted bar makes it increasingly difficult to secure treatment for desperately ill individuals with anosognosia who are unable to satisfy their basic survival needs or prevent further psychiatric deterioration. Families are left to helplessly wait for senseless tragedy to establish “danger.” The inability to think rationally drives many into the criminal justice system.

This legislation would enable timely treatment by providing a proper definition of “danger to life or safety” by,

- Clarifying that the danger to self or others need not be imminent;
- Allowing personal and medical history to be considered; and
- Clarifying that danger to self encompasses a substantial risk that because of the mental illness the person:
 - may be unable to provide for their basic needs (food, clothing, shelter, health, or safety); or
 - suffer substantial deterioration of their judgement, reasoning, or ability to control behavior (provided they are unable to make a rational and informed decision as to whether to submit to treatment).

This legislation will bring Maryland on par with other jurisdictions. Forty-five states currently have danger standards which explicitly include the inability to meet basic survival needs, and twenty-four states also recognize risk of psychiatric deterioration as an actionable danger. This legislation continues to guarantee



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personal civil liberties, including legal representation and judicial hearings. Timely treatment can restore rational thought and the ability to meaningfully exercise one's civil rights.

The proposed reforms should reduce costs associated with long or repeat hospitalizations resulting from delayed treatment. Police, court, and corrections cost savings should also be realized as well as the reduction of frequent emergency room visits. We expect this legislation will reduce suicides, homelessness, police interactions, criminalization, use of emergency systems, and safer communities with better treatment outcomes including more treatment taking place in the mental health system rather than in jails or not at all.

Sheppard Pratt urges the committee's favorable report on SB928/HB1344 Mental Health Law - Reform of Laws and Delivery of Service.

About Sheppard Pratt

Sheppard Pratt is the nation's largest private, nonprofit provider of mental health, substance use, developmental disability, special education, and social services in the country. A nationwide resource, Sheppard Pratt provides services across a comprehensive continuum of care, spanning both hospital- and community-based resources. Since its founding in 1853, Sheppard Pratt has been innovating the field through research, best practice implementation, and a focus on improving the quality of mental health care on a global level. Sheppard Pratt has been consistently ranked as a top national psychiatric hospital by *U.S. News & World Report* for nearly 30 years.