

Your Name: Sam L. Chan, LCSW-C

Date of Hearing: Tuesday February 16th, 2021 at 1:30pm

Committee: Health and Government Operations

Sponsored by: Delegate Sheila Ruth

Bill Number: HB0537

Full Title of the Bill: Mental Health Law – Petitions for Emergency Evaluation – Procedures

Position: In Support of Passing HB0537/SB0398

My name is Sam L. Chan, LCSW-C, a clinical social worker dedicated to the Baltimore City and County community for the last 10 years. **I am writing in support of passing HB0537 / SB0398** since it greatly reduces accidents to citizens in mental health distress and it is a more humane way to treat our most vulnerable population.

In my current position as Counselor at the UMBC Student Counseling Center, we frequently encounter students experiencing acute distress, some experiencing their first psychotic break that put their livelihoods at stake. Because of current Maryland state law, we have to involve law enforcement to transport the student to the emergency room. But this experience can be incredibly shameful as the police come in full view of all other students and must handcuff the student per state law, even if they pose no danger to others.

Below are the main points of this Bill, as compiled by SWAA (Social Welfare Action Alliance) -

- Emergency Petitions are used when clinicians follow their ethical and legal duty to assess and evaluate for client safety concerns. If the client is a risk to themselves, and does not have a parent, caregiver, or friend to take them to the ED, an EP is issued by a licensed clinician. Currently police, who may also issue an EP, are required by statute to transport those in mental health crisis to the hospital under any circumstance.
- This bill would remove the mandated involvement of law enforcement in the deliverance of emergency petitions for mental health evaluations from the law, changing police involvement from required to optional.
- With this bill, the police can still be called to respond to crisis, and they are obligated to respond. That part of the law is not changing and will continue as it is now. The change allows clinicians to discern whether police involvement is necessary. Clinicians will be protected by the law in their good-faith performance of their responsibilities.
- When a client is deemed a danger to themselves, circumstances do not always indicate danger to others or to public safety. In cases where this applies, clinicians may call the police. In circumstances with no public safety concerns, the police should not be

treated as babysitters. **The presence of an officer with a gun can only escalate a circumstance involving a person's neurobiological trauma response.**

- The intent behind this bill is to eliminate the current REQUIREMENT that a police officer deliver the EP to the ED and provide transport. This change would open the possibilities for alternate models of crisis response being considered in Baltimore City as part of the Consent Decree, and at the state level within the governor's office of Crime Prevention, Youth, and Victim Services.
- The bill clarifies that anyone signing an emergency petition MAY request assistance from a peace officer to aid in transport at any time. A peace officer SHALL respond to a request for transport assistance.
- **In addition to the life-saving nature of this bill, it is also fiscally responsible.** It requires no funding to implement, and can also save taxpayer dollars. A study from the Treatment Advocacy Center found that law enforcement officers spend an estimated \$918 million transporting individuals with severe mental illness each year, money that could go a long way toward preventing mental health crises.
- **It's time to decriminalize crisis in Maryland. Individuals in crisis deserve dignity.** Clinicians, not police officers, should be central in the EP process whenever possible.

As indicated from the points above, this bill will drastically reduce the possibility of accidents happening to distress citizens, during one of the worst days of their lives. **This bill will offer a humane way of handling this situation.**

Thank you for your time.

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