



SB 807 – Frederick County – Mental Health Law – Assisted Outpatient Treatment Pilot Program

Committee: Senate Finance

Date: March 8, 2022

POSITION: Oppose

The Maryland Coalition of Families: Maryland Coalition of Families (MCF) helps families who care for a loved one with behavioral health needs. Using personal experience, our staff provide one-to-one peer support and navigation services to family members with a child, youth or adult with a mental health, substance use or gambling issue.

We welcome the opportunity to testify in opposition to SB 807.

All of MCF family peer support staff have lived experience caring for a child or other loved one with mental health or substance use needs. Many family members oppose forced treatment, and value self-determination and the protection of civil liberties. What they want is for their loved one to have easy access to a broad array of quality, appealing, and readily available mental health treatments and community supports.

I also oppose forced treatment because, based on my family's personal experience, we found that it does not work.

Our son, whom we had committed a number of times as an adolescent, says that the experience of forced treatment forever turned him off from receiving mental health treatment. After turning 18 he refused all psychiatric treatment and medication. We must be aware that this aversion to receiving mental health services can frequently be the consequence of forced treatment.

Only very recently, as a 32 year old, did our son seek out mental health treatment and decide to begin to take medication. He says that the results have transformed his quality of life, and he wishes that he had engaged in treatment years ago. Forced treatment not only did not help to facilitate recovery, it impeded progress.

Assisted Outpatient Treatment is just a nice name for forced treatment. HB 1017 acknowledges that what they're really talking about is forced treatment, and anticipates that the person will not want to cooperate, with the following verbiage:

“If the respondent does not consent to the examination, or has not appeared at the hearing after reasonable efforts to secure the respondent’s appearance, and the court finds probable cause to believe that the allegations in the petition are true, the court may direct that the respondent be taken into custody and transported to an appropriate facility for examination by a psychiatrist.”

And since you can’t force a person to engage in talk therapy, essentially the main impact of the bill is to allow for forced medication. This is especially troubling since people have good reasons for refusing to take medication – extremely unpleasant side effects are common with many psychotropic medications, and some can cause life-long debilitating side effects. All individuals should have the freedom to decide what is put in their body.

Maryland has at hand good alternatives to forced treatment. Assertive Community Treatment Teams can be very effective at engaging hard-to-reach populations. In addition, there is a genuine Assisted Outpatient Treatment Program in Baltimore City, and advocates have been working for two years to improve the program by expanding the population that can be served. Unfortunately, the Maryland Department of Health and the Behavioral Health Administration have not moved on implementing new regulations, so the program continues to flounder. The legislature could do something about this, rather than vote to implement a harmful pilot program in Frederick County such as the one SB 807 is proposing.

A final point – in this COVID world the need and demand for behavioral health services is greater than ever before. There are lengthy waiting lists for people who **want** mental health treatment. Putting into place a forced treatment program will have the unintended consequence of pushing people who want treatment further to the back of the line.

There are a number of good reasons to vote against SB 807. We ask that you give the bill an unfavorable report.

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