# SB781 Sponsor Testimony.docx.pdf Uploaded by: Katie Fry Hester Position: FAV

### KATIE FRY HESTER Legislative District 9 Carroll and Howard Counties

Education, Health, and Environmental Affairs Committee

Chair, Joint Committee on Cybersecurity, Information Technology and Biotechnology



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### THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

### Testimony in Support of SB781 - Public Safety and Behavioral Health Improvement Act

March 3, 2022

Chair Kelly, Vice-Chair Feldman, and members of the Finance Committee, thank you for your consideration of Senate Bill 781, which will fund and expand the work of the Behavioral Health & Public Safety Center of Excellence, which this Committee established last session.

We created this Center last year to divert those with mental and behavioral health disorders from the criminal justice system and into more appropriate healthcare services. However, implementation of this vision has taken longer than expected; the Center is still in the process of hiring staff and has not started its county outreach. This year, we are returning to the committee to provide additional specificity to their mission and funding support to achieve these goals. Specifically, this legislation will:

- 1.) Appropriate \$500,000 in the annual budget for the Center of Excellence to contract services from the University System of Maryland,
- 2.) Direct the Department of Health to adopt criteria for certifying peer support specialists, which the Center can leverage towards mental and behavioral health services,
- 3.) Establish and provide one-time funding of \$500,000 for a Behavioral Health Screening Grant Program to assess the severity of disorders and identify appropriate levels of care,
- 4.) Require the Maryland 9-1-1 Board to establish training standards for dispatchers and operators to address mental & behavioral health conditions, and provide \$500,000 of one-time funding for counties to implement these standards, and
- 5.) Require the Governor's Office of Crime Prevention, Youth, and Victim Services to create a scorecard of safety indicators, as recommended by the Office of Legislative Audits, so that we can measure the impact of the Center's work,

These additional programs are in-line with national trends and recommendations from the SIM Summit Report, which I have submitted for the bill file for the Committee's consideration. With these additional programs and support, we can continue to improve the Center's work. For these reasons, I respectfully request a favorable report from the Committee.

Sincerely,

Senator Katie Fry Hester Carroll and Howard Counties

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### **SB0781-FIN\_MACo\_SUP.pdf**Uploaded by: Kevin Kinnally



### Senate Bill 781

Public Safety and Behavioral Health Improvement Act

MACo Position: **SUPPORT**To: Finance and Budget and Taxation

Committees

Date: March 8, 2022 From: D'Paul Nibber and Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** SB 781 This bill would, among other provisions, establish the Behavioral Health Screening Grant Program, which is intended to assist local jurisdictions in identifying and treating Marylanders with substance use disorders.

Behavioral health interventions have received renewed focus as a result of high-profile incidents involving individuals experiencing crises related to substance use disorders. Counties have acted swiftly to ensure our shared constituents receive the supports they need, standing up hotlines, building crisis stability centers, and establishing mobile crisis intervention teams. This bill would assist counties in identifying individuals most in need of these services.

As the State and its counties seek to address the worsening opioid epidemic, SB 781 would bolster county efforts to identify at-risk Marylanders. For this reason, MACo **SUPPORTS** SB 781 and urges a **FAVORABLE** report.

## OPD Favorable Statement\_SB 781\_Public Safety and B Uploaded by: Kimberlee Watts



PAUL DEWOLFE

PUBLIC DEFENDER

KEITH LOTRIDGE

DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN** 

DIRECTOR OF POLICY AND DEVELOPMENT

KRYSTAL WILLIAMS

**DIRECTOR OF GOVERNMENT RELATIONS DIVISION** 

**ELIZABETH HILLIARD** 

ASSISTANT DIRECTOR OF GOVERNMENT RELATIONS DIVISION

### POSITION ON PROPOSED LEGISLATION

BILL: SB781/HB1018 - PUBLIC SAFETY AND BEHAVIORAL HEALTH IMPROVEMENT ACT

FROM: Maryland Office of the Public Defender

**POSITION: Favorable** 

**DATE: March 7, 2022** 

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on SB781/HB1018.

The effects of the opioid crisis on Marylanders is impossible to ignore. It is a startling awareness that the biggest provider of mental health services currently is our jail system; and that when families call 9-1-1 for help when a loved one is having a mental health crisis they get a police response instead of a mental health response. These are clear indications that our Behavioral Health Services system needs work. In the last few years Maryland has taken tremendous steps forward in this work by creating regional crisis centers and creating The Maryland Behavioral Health and Public Safety Center of Excellence. This year we are asking this body to continue on the road to improving our Behavioral Health Services and Justice Systems by funding the Center for Excellence. Without funding, the Center for Excellence cannot fulfil its mandate of leading the development of a strategic plan to increase treatment and reduce the detention of individuals with behavioral health disorders involved in the criminal justice system.

As an attorney who has been practicing for 22 years, I have represented people with mental illness I have seen many families call 9-1-1 for help when a loved one was in the midst of a mental health crisis, such as a psychotic break or a suicide attempt. These calls have traditionally been answered by police. Even the most well intended police officers lack the skills needed to deescalate these crises, leaving them to use the tool they are most familiar with - arrest. Usually these arrests are for charges like disorderly conduct, failing to obey a police order, and resisting arrest. While the intention may be to get an individual help, an arrest only complicates the situation and does not, in fact, help. Training 9-1-1 operators to divert calls for crisis assistance to crisis centers, rather than police, will have a real impact on Marylanders.

However, none of these steps forward can happen without funding. The health of Marylanders can only be improved by funding The Maryland Behavioral Health and Public Safety Center of Excellence, and so we urge you to issue a favorable report on this bill.

Submitted by: Kimber Watts, Assistant Public Defender, Forensic Mental Health Division Email: kimber.watts@maryland.gov; Phone: 410-767-9855/510-854-6237

### **Testimony In Support of SB 781 - Budget and taxati** Uploaded by: Rich Ceruolo



March 7, 2022

Maryland Senate 11 Bladen St. Annapolis, MD. 21401

### In Support of SB 781/HB 1018: Public Safety and Behavioral Health Improvement

Members of the Maryland Senate's Finance and Budget and Taxation Committees.

We are an organization of military and non-military families with over 1400 members and fully support modernizing the healthcare, and modernization of the delivery of behavior related health care services and support programs all across Maryland.

This bill would be a huge help in collecting and analyzing data related to behavioral health issues. Allowing agencies to better spotlight and target programs to those areas with the most need of services. What a huge boost to families that need the most help caring for their loved ones struggling with behavioral health issues. This bill would help to provide the necessary services and health care options needed to truly boost and modernize Maryland's behavioral healthcare crisis response systems.

So many families are still hurting financially from long term health care and related economic costs and hardships. We all can use a helping hand from this type of legislation that helps to update and modernize our state's behavioral health care service delivery model. Moving forward, we hope that the MGA will also work on other constructive ways of supporting our families of persons with behavioral challenges.

Let's please continue to build on this effort to support Maryland's citizens well into the future of healthcare, and development of innovative behavioral health treatment programs.

Please support SB 781 / HB 1018 and return a favorable report. Thank you for your time, and for considering our testimony today.

Mr. Richard Ceruolo | richceruolo@gmail.com
Parent, Lead Advocate and Director of Public Policy
Parent Advocacy Consortium (Find us on Facebook/Meta)
https://www.facebook.com/groups/ParentAdvocacyConsortium

### **SB 781 - Support - MPS WPS.pdf** Uploaded by: Thomas Tompsett





March 4, 2022

The Honorable Delores E. Kelley Senate Finance Committee 3 East – Miller Senate Office Building Annapolis, MD 21401 The Honorable Guy Guzzone Senate Budget & Taxation Committee 3 West – Miller Senate Office Building Annapolis, MD 21401

RE: Support – SB 781: Public Safety and Behavioral Health Improvement Act

Dear Chairman Kelley, Chairman Guzzone, and Honorable Members of the Committees:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens; and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS and WPS represent over 1000 psychiatrists and physicians currently in psychiatric training.

MPS/WPS support Senate Bill 781: Public Safety and Behavioral Health Improvement Act (SB 781). A peer support worker is someone with the lived experience of recovery from a mental health condition, substance use disorder (SUD), or both. Peer support workers provide non-clinical, strengths-based support to others experiencing similar challenges and are "experientially credentialed" by their own recovery journey. Peer support workers practice in a range of settings, including peer-run organizations, recovery community centers, recovery residences, drug courts, and other criminal justice settings, hospital emergency departments, child welfare agencies, homeless shelters, and behavioral health and primary care settings. Finally, peer support specialists liaison with inpatient teams and emergency departments to connect patients with SUD and psychiatric treatment services. While they are not licensed mental health professionals themselves, peer support specialists provide important transitional support between levels of care.

For those reasons, MPS/WPS asks both committees for a favorable report on SB 781. If you have any questions with regard to this testimony, please feel free to contact Thomas Tompsett Jr. at tommy.tompsett@mdlobbyist.com.

Respectfully submitted, The Maryland Psychiatric Society and the Washington Psychiatric Society Legislative Action Committee

## SB 781-Public Safety and Behavioral Health Improve Uploaded by: Vanessa Purnell



I. Vanessa Purnell
Assistant Vice President, Government Affairs
9 State Circle, Suite 303
Annapolis MD 21401
410-216-6205

#### SB 781 – Public Safety and Behavioral Health Improvement Act

Position: Support

March 8, 2022

Senate Finance Committee and Senate Budget and Taxation Committee

#### **Bill Summary**

SB 781 would require the Maryland Department of Health to adopt regulations that establish criteria for certifying peer support specialists as nonclinical healthcare providers. In addition, it would establish the Behavioral Health Screening Grant Program, with an initial appropriation of \$500,000 and modify provisions governing the Maryland 9-1-1 Board to include specified training for public safety answering point (PSAP) personnel.

#### MedStar Health's Position

Mounting evidence indicates that screening for early detection and treatment of mental health and substance use disorders can improve quality of life, help contain healthcare costs, and reduce complications from co-occurring behavioral health and medical comorbidities.

Peers offer their unique lived experience with mental health and/or substance use conditions which allows them to provide support focused on advocacy, education, mentoring, and motivation.

We recognize the value these non-clinical peer workers provide and we believe they are most effective when they are fully integrated into both healthcare teams and the community, providing a critical bridge between clinical care and people's daily lives. Peers provide holistic support to clients in their daily lives as they manage their conditions, and their effectiveness lies in their lived experiences managing illness. As a member of the healthcare team, they should be certified or credentialed.

Lastly, research shows that police responses to mental health situations present significant challenges for police and too often result in poor or tragic outcomes for persons with mental illness. We are supportive of any opportunity at reducing arrests and uses of force; reducing emergency department visits; and increasing the use of community-based mental health services. We believe the funds provided in this grant program will help to do just that.

For the reasons listed above, we respectfully ask that you give SB 781 a *favorable* report.

## SB 781\_Public Safety and BH Improvement Act - BHSB Uploaded by: Dan Rabbitt



March 8, 2022

### Senate Finance Committee TESTIMONY – FAVORABLE W/AMENDMENTS

SB 781 - Public Safety and Behavioral Health Improvement Act

Behavioral Health System Baltimore (BHSB) is a nonprofit organization that serves as the local behavioral health authority (LBHA) for Baltimore City. BHSB works to increase access to a full range of quality behavioral health (mental health and substance use) services and advocates for innovative approaches to prevention, early intervention, treatment and recovery for individuals, families, and communities. Baltimore City represents nearly 35 percent of the public behavioral health system in Maryland, serving over 78,000 people with mental illness and substance use disorders (collectively referred to as "behavioral health") annually.

Behavioral Health System Baltimore supports SB 781, Public Safety and Behavioral Health Improvement Act with the amendments suggested below. Strengthening the Maryland Behavioral Health and Public Safety Center of Excellence and the Governor's Office of Crime Prevention, Youth, and Victim Services would help reduce our reliance on the criminal justice system to address behavioral health concerns. BHSB shares this goal and recommends the following amendments to avoid any unintended consequences.

#### Amendment No. 1

• Beginning on page 2, strike lines 22 through page 3 line 3, in their entirety.

BHSB strongly supports peer support services and peer support specialists. We fund services and programs throughout Baltimore City that employ these critical professionals and applaud efforts to expand their use in the public behavioral health system. We worry that the direction provided in this subtitle, however, is duplicative with already existing procedures and may cause confusion regarding the process to certify peer support specialists.

### **Amendment No. 2**

Beginning on page 4, strike lines 23 through page 6 line 18, in their entirety

Behavioral health screening and assessments for substance use disorder are key components of our behavioral health and broader health care system. The state has made great strides in integrating SBIRT (Screening, Brief Intervention, and Referral to Treatment) into our system of care and BHSB supports ongoing efforts to further integrate screening into all programs. The new grant program under this subsection would duplicate these efforts, many of which can currently be funded with a federal match through Medicaid.

BHSB is most concerned with the appropriateness of establishing a statewide system of outcome measurement for the effectiveness and adequacy of behavioral health crisis response services under this grant program. Such a system should be developed by the Behavioral Health Administration with significant stakeholder input and remain associated with the behavioral health crisis response system itself, rather than an unrelated grant program.

#### Amendment No. 3

- Beginning on page 7, strike lines 5 through 8, and replace with the following:
  - 2. BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES
  - 3. PROCEDURES TO TRIAGE AND MAKE APPROPRIATE DISPATCH DECISIONS FOR INDIVIDUALS SUFFERING AN ACUTE BEHAVIORAL HEALTH CRISIS

BHSB supports efforts to provide additional training on behavioral health conditions to public safety answering point personnel. They play a key role in keeping those experiencing behavioral health crises safe and in dispatching appropriate services. We offer the amendment above to be more precise about the specific systems and procedures that personnel need to be trained on to effectively respond to callers experiencing behavioral health crises.

BHSB supports the intent of this bill and recognizes the importance of improving collaboration between the public safety and behavioral health systems. We think SB 781 can help advance those efforts with the above amendments. **We ask for a favorable report for SB 781 with the amendments above.** 

For more information, please contact BHSB Policy Director Dan Rabbitt at 443-401-6142

**sb781.pdf**Uploaded by: Sara Elalamy
Position: UNF

### MARYLAND JUDICIAL CONFERENCE GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty Chief Judge 187 Harry S. Truman Parkway Annapolis, MD 21401

#### **MEMORANDUM**

**TO:** Senate Budget and Taxation Committee

Senate Finance Committee

**FROM:** Legislative Committee

Suzanne D. Pelz, Esq.

410-260-1523

**RE:** Senate Bill 781

Public Safety and Behavioral Health Improvement Act

**DATE:** February 23, 2022

(3/8)

**POSITION:** Oppose

The Maryland Judiciary opposes Senate Bill 781. This bill requires the Governor's Office of Crime Prevention, Youth, and Victim Services to take certain actions related to the inclusion of performance data and information in reports and the creation of a scorecard of quantifiable safety indicators.

The Judiciary is opposed to the provision which requires the Governor's Office of Crime Prevention, Youth, and Victim Services to create an annual "scorecard" that includes "rates of judicial compliance with state sentencing policies by race and type of case." First, it is unclear what "state sentencing policies" means. Assuming this provision refers to compliance with Maryland Sentencing Guidelines, it misunderstands the purpose of the guidelines, which is descriptive, not prescriptive. The Maryland Sentencing Commission should not be called upon to issue such a report as it exceeds that agency's statutory purpose.

Further, the Judiciary is also concerned that presentation of such data can present an inaccurate picture of sentencing decisions—especially if broken down by individual judges—since judges must consider a wide-range of factors in making sentencing decisions, and that can result in sentences that are higher or lower than the range provided by the sentencing guidelines.

In addition, the bill is unclear whether the Judiciary is expected to play any role in collecting or recording that data. Operationally, this type of data is very difficult if not impossible to produce by the Judiciary, even if it were adequately clear what it is seeking.

cc. Hon. Katie Fry Hester
Judicial Council
Legislative Committee
Kelley O'Connor

# SB 781 Public Safety and Behavioral Health Improve Uploaded by: Barbara Wilkins Position: INFO



LARRY HOGAN Governor

BOYD K. RUTHERFORD Lieutenant Governor DAVID R. BRINKLEY Secretary

MARC L. NICOLE Deputy Secretary

### SENATE BILL 781 Public Safety and Behavioral Health Improvement Act (Hester)

### STATEMENT OF INFORMATION

**DATE: March 8, 2022** 

**COMMITTEE:** Senate Finance and Senate Budget & Taxation

**SUMMARY OF BILL:** SB 781, in part, mandates an annual appropriation in the amount of \$500,000 to support the Behavioral Health and Public Safety Center of Excellence in the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS), the purpose of which is to gather information on behavioral health and support local governments in developing behavioral health care that limits interactions with the criminal justice system; mandates a FY 2024 appropriation in the amount of \$500,000 for the newly created Behavioral Health Screening Grant Program within the Maryland Department of Health (MDH) that would provide funds to local jurisdictions to expand behavioral health pilot programs; and mandates a FY 2024 appropriation in the amount of \$500,000 for the Maryland 9-1-1 Board to develop and enhance training on behavioral health conditions and crisis intervention that would limit interactions that individuals with behavioral health conditions have with law enforcement.

**EXPLANATION:** The Department of Budget and Management's focus is not on the underlying policy proposal being advanced by the legislation, but rather on the aggregate \$1.5 million mandated appropriations that impact the FY 2024 and \$500,000 mandated appropriation that impacts subsequent budgets. DBM has the responsibility of submitting a balanced budget to the General Assembly annually, which will require spending allocations for FY 2024 to be within the official revenues estimates approved by the Board of Revenue Estimates in December 2022.

The FY 2023 Budget allocates: \$5 million for the Behavioral Health Crisis Response Grant Program; \$4.8 million for mobile crisis teams that provide 24/7 availability of intervention services to the location of a person in crisis; and \$3.4 million in federal funds for Home and Community Based Services in Behavioral Health Medicaid under the Children's Health Insurance Program.

The Capital Improvement Program provides for the construction of four 24-hour regional behavioral health crisis centers throughout the State (FY 2023 - FY 2026). The FY 23 Capital Budget includes funding to begin a prototypical design for these crisis centers.

Changes to the Maryland Constitution in 2020 provide the General Assembly with additional budgetary authority, beginning in the 2023 Session, to realign total spending by increasing and adding items to appropriations in the budget submitted by the Governor. The legislature's new budgetary power diminishes, if not negates, the need for mandated appropriation bills.

Fully funding the implementation of the Blueprint for Maryland's Future (Kirwan) will require fiscal discipline in the years ahead, if the State is to maintain the current projected structural budget surpluses. Mandated spending increases need to be reevaluated within the context of this education funding priority and the Governor's tax relief proposals.

Economic conditions remain precarious as a result of COVID-19. High rates of inflation and workforce shortages may be short lived or persist, thereby impacting the Maryland economy. While current budget forecasts project structural surpluses, the impact of the ongoing COVID-19 pandemic continues to present a significant budgetary vulnerability. The Department continues to urge the General Assembly to focus on maintaining the structural budget surplus.

For additional information, contact Barbara Wilkins at (410) 260-6371 or <a href="mailto:barbara.wilkins1@maryland.gov">barbara.wilkins1@maryland.gov</a>

## SB781\_GOCCP\_INFO Uploaded by: Cameron Edsall

Position: INFO



### **GOVERNOR'S COORDINATING OFFICES**

Community Initiatives · Service & Volunteerism · Deaf & Hard of Hearing
Crime Prevention, Youth, & Victim Services · Small, Minority, & Women Business Affairs
Banneker-Douglass Museum · Volunteer Maryland

March 8, 2022

Chair Maggie McIntosh House Appropriations Committee Room 121 House Office Building Annapolis, Maryland 21401 Chair Delores G. Kelley Senate Finance Committee 3 East Senate Office Building Annapolis, Maryland 21401

RE: HB 1018/SB 781: Public Safety and Behavioral Health Improvement Act

**POSITION: Information** 

Dear Chairs and Members of the Respective Committees,

The Governor's Office of Crime Prevention, Youth, and Victim Services ("Office") is providing this letter of information for House Bill 1018/Senate Bill 781: Public Safety and Behavioral Health Improvement Act.

This is a piece of omnibus legislation that requires the Governor's Office of Crime Prevention, Youth, and Victim Services to take certain actions related to the inclusion of performance data and information in reports; the creation of a scorecard of quantifiable safety indicators; and requires the Governor to include in the annual budget bill an appropriation of \$500,000 for the Maryland Behavioral Health and Public Safety Center of Excellence beginning in FY 2024. The funding will assist with contracts for the purposes of carrying out its mission and establishing a behavioral health screening grant program within the Department of Health. With the \$500,000 in the annual appropriation, part of this funding should be a \$75,000 salary for a FTE position, with benefits, startup, etc, to be added, to manage the contracts that the Center of Excellence negotiates; to facilitate data collection from all counties in the state; and support local or regional planning workshops.

The behavioral health screening grant program in the Department of Health would be used to provide funds to local jurisdictions to establish and expand behavioral health screening pilot programs. The Department, in coordination with the Maryland Behavioral Health and Public Safety Center of Excellence within the Office, shall administer the program. These behavioral health initiatives tie into the work of the Center of Excellence, which was established by SB 857. This Center has a multitude of purposes

including: act as the statewide information repository for behavioral health treatment and diversion programs related to the criminal justice system; and lead the development of a strategic plan to increase treatment and reduce the detention of individuals with behavioral health disorders involved in the criminal justice system. Furthermore, SB 857 already statutorily charges the Center to coordinate with the Maryland Department of Health (MDH) and the Behavioral Health Administration to implement and track the progress of creating an effective behavioral health system of care in the State relating to individuals involved in the criminal justice system. To implement this, one of the positions within the Center of Excellence is a Law Enforcement Coordinator, which works to include a statewide model for community crisis intervention services and provide technical support to local governments, law enforcement, public safety agencies, behavioral health agencies, and crisis service providers as it relates to a crisis intervention model program.

With regards to the provision surrounding certain actions related to the inclusion of performance data and information in reports and the creation of a scorecard of quantifiable safety indicators, the Office advised that there is a need for a data analyst at approximately \$60,000 a year to collect the necessary data and a consultant to develop the required scorecard. In the current contract with the scorecard consultant that the Office uses for other purposes, there is a license fee to host the scorecard plus the consultant's hourly rate to build the scorecard. The consultant charges \$40/month to host the scorecards our agency currently uses for Local Management Boards, of which there are 24 scorecards for that use. For those scorecards, it will cost an estimated 230 hours to build at an hourly rate of \$75. 'Similar rates may apply to the building of scorecards related to this legislation.

As such, the Office continues to work with stakeholders to coordinate the efforts of implementing the tasks required of the Center of Excellence to increase public safety and provide support services to those involved in the criminal justice system, as this bill currently addresses.

Sincerely,

Yesim K. Karaman

Well Leroman

Chief of Staff

Governor's Office of Crime Prevention, Youth, and Victim Services