

LORIG CHARKOUDIAN
Legislative District 20
Montgomery County

Economic Matters Committee

Subcommittees

Public Utilities

Chair, Unemployment Insurance



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 220
Annapolis, Maryland 21401
410-841-3423 · 301-858-3423
800-492-7122 Ext. 3423
Lorig.Charkoudian@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 121- MENTAL HEALTH- TREATMENT PLANS FOR INDIVIDUALS IN FACILITIES-
REQUIREMENTS

TESTIMONY OF DELEGATE LORIG CHARKOUDIAN

FEBRUARY 7, 2023

Chair Peña-Melnyk, Vice Chair Kelly, and Members of the Health and Government Operations Committee,

Right now in Maryland, individuals with mental illness who are admitted to facilities- both public and private- on an involuntary basis must have a written plan of treatment. Current law is not clear, however, about who can be involved in the development and review of those plans. The law is also not clear how and when those plans should be reviewed or whether information about and provision of alternative treatments, services, or providers should be included.

This lack of clarity creates the situation where patients can be committed to a facility with no understanding of when the treatment is scheduled to be completed and no ability to ask for a review of their case. This is a violation of Maryland's commitment to honor an individual's rights and protect them from neglect even when they are involuntarily committed to a facility¹.

This bill empowers individuals receiving treatment and their selected representatives to be more involved in treatment decisions and ensures that treatment plans evolve in steps with the needs of individuals receiving treatment.

It requires treatment plans to include the following:

- a discharge goal and estimated date,
- reassessment of the individual's treatment plan at least once every 15 days for the two months after initial admission, and once every 60 days for the remainder of the individual's stay,
- consultation with the admitted individual about the addition of family members and/or other selected individuals to be a part of the development, review, and reassessment of the admitted individual's treatment plan, and

¹ Rights of Person in Maryland's Psychiatric Facilities. [pamphlet].

<https://health.maryland.gov/bha/Documents/Rights%20of%20Persons%20in%20Maryland%27s%20Psychiatric%20Facilities%20Handbook%20rotate.pdf>

- provisions for the people approved by the admitted individual to intercede and ask for a reassessment of the individual's treatment plan (requests and responses for reassessment must be in writing and included in the admitted patient's health record).

Further, for state-run facilities, the bill would allow the admitted individual, or their legal representative, to request a treatment plan reassessment, establish a process for receiving a hearing on the matter of the treatment plan with the Office of Administrative Hearings, and establish a process to appeal the Office of Administrative Hearings decision.

Mental health care facilities are a vital element in Maryland's health care infrastructure. This change to the treatment plan requirements supports these facilities in empowering individuals as a core advocate for their own mental health care.

I respectfully request a favorable report on HB 121.