



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, Health and Government Operations Committee
241 Taylor House Office Building
Annapolis, MD 21401

RE: HB 823 – Mental Health Law - Assisted Outpatient Treatment Programs – Letter of Information

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information for House Bill (HB) 823 – Mental Health Law – Assisted Outpatient Treatment Programs. HB 823 authorizes a county to establish an assisted outpatient treatment program. Assisted Outpatient Treatment (AOT) is a civil commitment to outpatient behavioral health treatment. It is used for individuals who will not voluntarily accept outpatient treatment but who have a history of endangering themselves or others. An individual in AOT who does not engage in treatment will be involuntarily committed to a hospital prior to becoming a danger to self or others.

An individual's voluntary acceptance of treatment is always preferred. However, research shows that AOT programs may reduce the incidence and duration of hospitalization, homelessness, incarcerations, and interactions with the criminal justice system for individuals with severe mental illness who have (1) histories of non-compliance with treatment and (2) repeated psychiatric crises. The U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) further reports that "... for individuals with serious mental illness, outpatient commitment orders, if kept in place for at least six (6) months and paired with intensive services, are associated with reduced incidence of hospitalization and improved quality of life for many persons with a serious mental illness."¹

The Moore-Miller administration is committed to supporting Marylanders with serious mental illness. The Department will consult with stakeholders during the 2023 legislative interim and report to the General Assembly before the 2024 legislative session with recommendations on establishing an AOT program in Maryland.

¹ Substance Abuse and Mental Health Services Administration: Civil Commitment and the Mental Health Care Continuum: Historical Trends and Principles for Law and Practice. Rockville, MD: Office of the Chief Medical Officer, Substance Abuse and Mental Health Services Administration, 2019.

If you would like to discuss this further, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

A handwritten signature in blue ink, appearing to read "LH Scott".

Laura Herrera Scott, M.D., M.P.H.
Secretary