



January 28, 2025

Senate Finance Committee
TESTIMONY IN SUPPORT

SB 43 – Maryland Department of Health - Forensic Review Board and Community Forensic Aftercare Program - Established

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 100,000 people with mental illness and substance use disorders (collectively referred to as “behavioral health”) annually.

Behavioral Health System Baltimore supports SB 43 – Maryland Department of Health - Forensic Review Board and Community Forensic Aftercare Program - Established. This bill will establish in statute the forensic review board process and community forensic aftercare program currently in place across Maryland. Providing statutory definitions and guidelines will ensure transparency and best practices across all of Maryland’s state hospitals.

Maryland currently faces significant a significant backlog of approximately 200 individuals in need of psychiatric care in state facilities. It can often take months for a placement to become available, which leaves these vulnerable individuals languishing in jail and having their mental health further deteriorate. We this in the Baltimore City Jail where dozens of individuals await placement at any given time with limited behavioral health care. There are many causes to this backlog but an inefficient discharge process out of state hospitals does contribute.

Maryland state facilities that have charge of persons found not criminally responsible have used forensic review boards as part of the discharge planning process for many years. This process has never been defined in statute, however, and varies across facilities. There have been reports of individuals who are clinically cleared for discharge from the facility who are denied by the review board without any explanation. A statutory standard for transparency in decision making will ensure that every is treated fairly and that the discharge process is consistent and timely.

This legislation is a commonsense initiative to standardize the process for release from state psychiatric facilities. **We urge the Senate Finance Committee to support SB 43.**

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