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February 5, 2025

The Honorable Luke Clippinger
Chair, Judiciary Committee
101 Taylor House Office Building
Annapolis, Maryland 21401

RE: Support – House Bill 592: Prohibited Possession of Firearms - Assisted Outpatient Treatment Respondents

Dear Chairman Clippinger and Honorable Members of the Committee:

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 1100 psychiatrists and physicians currently in psychiatric training.

During the last legislative session the Maryland legislature passed HB576/SB453 to create assisted outpatient treatment programs in every county to mandate that certain individuals with mental illness must participate in outpatient treatment if they are at risk of becoming dangerous to themselves or others. The bill is scheduled to take effect on July 1st.

During the amendment process of that bill, the following language was added at 10-6A-02(B)(2):

"This subtitle may not be construed to abridge or modify any civil right of the respondent, including any right relating to a license, permit, certification, privilege, or benefit under any law."

This language was adopted when the bill passed, although it inadvertently indicated that a potentially dangerous individual with a mental illness could be allowed to retain possession of a legal weapon. This contradicts the clear intent of the bill and also contradicts existing law regarding civil commitment and weapon ownership, specifically Health-General §10-632 et. seq. This law allows an administrative law judge to require the committed patient to surrender any firearms in their possession and to bar them from possessing a firearm in the future unless they are granted relief from this restriction.

SB509/HB592 serves to correct this unintended effect of last year's legislation by modifying Public Safety §5-133 et. seq. to be consistent with existing law which bars gun ownership from individuals suffering from a mental disorder who also have a history of violence. The prohibition is time-limited and expires with the assisted outpatient treatment order.

Given the recent tragic self-inflicted shooting inside the Eastside District Courthouse in Baltimore, we urgently support passage of this bill.

If you have any questions regarding this testimony, please contact Lisa Harris Jones at lisa.jones@mdlobbyist.com.

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