

MARYLAND PSYCHIATRIC SOCIETY



February 10, 2025

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

RE: Oppose –House Bill 779: Correctional Services - Medication Review Committee -
Administration of Psychotropic Medication to an Incarcerated Individual

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.

While we support the intent of this bill, as written there is a potential for this process to cause unintentional harm. For example, correctional clinicians do not have ready access to hospital or outpatient records to identify medications to which the patient might have had bad reactions or which have been ineffective. Patients who already have involuntary medication orders in place from a state hospital should be required to abide by those orders after transfer back to a correctional facility. A new CRP panel would be redundant and potentially could delay needed care.

More importantly, existing involuntary medication orders are predicated upon a judicial determination of dangerousness due to mental illness. This is not required for prisoners under this bill, creating a potential equal protection violation. This bill should be amended to require that a clinical review panel hearing should be carried out through a remote hearing before an administrative law judge.

We encourage the Department of Public Safety to coordinate this legislation with both the Maryland Department of Health with input from forensically trained clinicians who currently participate in these hearings.

For these reasons, the Maryland Psychiatric Society urges an unfavorable report on HB 779.

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

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