

JUSTIN READY
Legislative District 5
Carroll County

MINORITY WHIP
Finance Committee



James Senate Office Building
11 Bladen Street, Room 315
Annapolis, Maryland 21401
410-841-3683 · 301-858-3683
800-492-7122 Ext. 3683
Justin.Ready@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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Senator Justin Ready
SB 707 – Mental Health Law – Danger to the Life or Safety of the Individual or of Others –
Definition (Right to Treatment)

Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee,

Senate Bill 707 would facilitate access to treatment for those with serious mental illness, such as bipolar disorder or schizophrenia, who are unable because of their illness, to recognize they are seriously ill and need treatment. The goal is to provide timely treatment to prevent the current consequences of treatment denial that are being experienced: incarceration, suicide, harm to others, homelessness, and brain deterioration from psychosis.

Maryland is one of the only 2 states, along with the District of Columbia, that have no definition for the danger standard for involuntary evaluation and inpatient treatment.

The result is that there is no consistent interpretation of dangerousness across the state and very often it is interpreted as requiring "imminent" danger, even though the legislature removed that requirement in 2002. In addition, unlike 48 other states, Maryland has no explicit language specifying that the inability to meet one's basic needs constitutes a danger to self and 30 states have psychiatric deterioration standards. In Maryland, danger is frequently considered only explicit suicidal or homicidal behavior, with no consideration of the ability to meet basic needs.

Consequently, our loved ones with serious mental illness, who lack the capacity to recognize their need for treatment, are denied timely treatment. Untreated psychosis results in brain damage and frequently the inability to recognize unlawful behavior. Our county jails report being overwhelmed with up to 50% of inmates with mental illness. Our state psychiatric hospitals are overwhelmed with court orders to restore competency and no longer accept civil patients for treatment to prevent behavior that can lead to criminalization. Maryland families are left to helplessly wait for senseless tragedy to establish "danger".

This bill clarifies that danger need not be imminent, that personal medical and psychiatric history be considered when available, defines danger to include, that as a result of a mental disorder

there is serious risk of bodily harm to self or others, or the inability to meet basic needs, or lacking the capacity to make treatment decisions and without treatment will likely meet the previous criteria.

Multiple state expert panels and stakeholder groups over several administrations have recommended that the danger standard be defined. Yet our adult sons, daughters, wives and husbands, still die by suicide after being refused involuntary hospital admission to treat psychosis because of the narrow interpretation of Maryland's undefined danger standard. A danger standard that promotes timely treatment would greatly improve outcomes, help prevent criminalization, save lives, and promote recovery.

I look forward to an ongoing discussion with the stakeholders about this bill, which is crucial for preventing tragedies, reducing criminalization, and homelessness, saving the lives of our loved ones, and protecting our communities.

I respectfully request a favorable report on SB 707.