



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

April 1, 2026

The Honorable Heather Bagnall
Chair, House Health Committee
241 Taylor House Office Building
Annapolis, MD 21401

RE: Senate Bill 707 —Mental Health Law - Danger to the Life or Safety of the Individual or of Others - Definition (Right to Treatment)—Letter of Opposition

Dear Chair Bagnall and Committee Members,

The Maryland Department of Health (the Department) respectfully submits this letter in opposition to Senate Bill (SB) - 707 - Mental Health Law - Danger to the Life or Safety of the Individual or of Others - Definition (Right to Treatment) as amended.

As amended, SB 707 would require the Behavioral Health Administration (BHA) to report annually on or before December 15, 2026 through 2029 on the number of petitions for emergency evaluation made in the State disaggregated by demographic, geographic, and signatory (that is, whether the petition for emergency evaluation was made by a health care providers, member of law enforcement, or another interested person).

BHA understands and appreciates the desire to learn about who is subject to emergency evaluations, whether force was involved in serving the petition, and the result of each emergency petition. However, BHA would not be able to produce this report as we do not complete, receive, hold, or otherwise review such petitions.

In Maryland, petitions for emergency evaluation may be completed by a licensed clinician, health officer, peace officer, or any other interested person. The petition is then filed with the Maryland Court in the jurisdiction in which the petitioner resides. The record of the emergency petition and all records relating to mental health evaluations are confidential and the content may not be divulged, by subpoena or otherwise, except by order of the court for good cause. If the General Assembly wishes to receive demographic and related information on emergency petitions, it would need to require the Judiciary to produce such a report as they are the proper and only custodian of such records.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact Meghan Lynch, Director of Governmental Affairs at meghan.lynch@maryland.gov.

Sincerely,

Meena Seshamani, MD, PhD
Secretary of Health