

March 9, 2026

The Honorable Delegate J. Sandy Bartlett, Chair
The Honorable Delegate Debra Davis, Vice Chair
House Judiciary Committee

RE: Support – House Bill 1306 – Assisted Outpatient Treatment – Surrender or Seizure of Firearms

Dear Chair Bartlett, Vice Chair Davis, and 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 2024 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. Assisted outpatient treatment (AOT) orders are limited to individuals with a documented history of seriously violent behavior due to mental illness. 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.

HB1306 serves to correct this unintended effect by modifying the existing AOT law. A judge hearing the AOT petition would be required to consider whether the respondent, based on the presented evidence, would qualify for gun restriction based upon Maryland's existing extreme risk protective order law. The respondent would then be required to temporarily surrender any weapons in their possession and to refrain from buying any new guns during the duration of the order. Violation of this provision would be a civil citation not a criminal offense. The prohibition is time-limited and expires with the assisted outpatient treatment order.

Respectfully submitted,

Annette Hanson, MD
Maryland Psychiatric Society