

HOUSE BILL 1510

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4lr0130

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

Introduced and read first time: February 27, 2014

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 4, 2014

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2014

CHAPTER _____

1 AN ACT concerning

2 **Behavioral Health Administration – Establishment and Duties**

3 FOR the purpose of merging the Alcohol and Drug Abuse Administration and the
4 Mental Hygiene Administration in the Department of Health and Mental
5 Hygiene to establish the Behavioral Health Administration in the Department;
6 establishing the ~~qualifications~~, responsibilities, powers, and duties of the
7 Director of the Behavioral Health Administration; requiring certain substance
8 use disorder programs and certain mental health programs to be licensed by the
9 Secretary of Health and Mental Hygiene, with certain exceptions; requiring the
10 Secretary to adopt certain regulations; repealing a prohibition on discrimination
11 against an individual for certain reasons for certain services provided by the
12 Alcohol and Drug Abuse Administration; authorizing the Secretary to require a
13 substance use disorder program or a mental health program to be granted
14 certain accreditation as a condition of licensure; repealing the position, powers,
15 and duties of the Director of the Alcohol and Drug Abuse Administration;
16 repealing the position, powers, and duties of the Director of Mental Hygiene;
17 adding and altering certain defined terms; making conforming and stylistic
18 changes; requiring the Secretary of Health and Mental Hygiene to convene a
19 certain stakeholder workgroup to make certain recommendations; requiring the
20 stakeholder workgroup to report certain findings and recommendations to the
21 Governor and General Assembly on or before a certain date; and generally
22 relating to behavioral health care and the Behavioral Health Administration in
23 the Department of Health and Mental Hygiene.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 BY repealing and reenacting, with amendments,
2 Article – Correctional Services
3 Section 9–603(b)
4 Annotated Code of Maryland
5 (2008 Replacement Volume and 2013 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 5–502
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2013 Supplement)
- 11 BY repealing and reenacting, with amendments,
12 Article – Criminal Procedure
13 Section 6–229(c)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2013 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 2–303(h)(1), 8–412(a)(7), and 21–305(c)
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2013 Supplement)
- 21 BY repealing and reenacting, with amendments,
22 Article – Health – General
23 Section 2–106(a), 2–501(f), 2–601(m), 4–307(a)(3) and (4), 5–703(a)(12), 5–803,
24 5–804(f)(1), 5–805(a)(1), 5–808(b)(1), 7–403(d), and 7–802; 8–101(b),
25 8–402, 8–403, 8–404, 8–503, and 8–702 to be under the amended title
26 “Title 8. Substance Use Disorders Law”; 10–101(b) and (d) and 10–901 to
27 be under the amended title “Title 10. Mental Health Law”; and
28 19–2301(d)
29 Annotated Code of Maryland
30 (2009 Replacement Volume and 2013 Supplement)
- 31 BY adding to
32 Article – Health – General
33 Section 7.5–101 through 7.5–204, to be under the new title “Title 7.5.
34 Behavioral Health Administration”; and 8–101(m)
35 Annotated Code of Maryland
36 (2009 Replacement Volume and 2013 Supplement)
- 37 BY repealing and reenacting, with amendments,
38 Article – Health Occupations
39 Section 20–101(b) and 20–202(a)
40 Annotated Code of Maryland

1 (2009 Replacement Volume and 2013 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Human Services
4 Section 5–314(h) and 8–406(a)
5 Annotated Code of Maryland
6 (2007 Volume and 2013 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 1–401(b)(7)
10 Annotated Code of Maryland
11 (2011 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Finance and Procurement
14 Section 10–309
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2013 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – State Government
19 Section 9–2802(a)(2) and 9–2806
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2013 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Transportation
24 Section 16–212(f)(1) and 16–212.1(a)
25 Annotated Code of Maryland
26 (2012 Replacement Volume and 2013 Supplement)

27 BY repealing
28 Article – Health – General
29 Section 8–201 through 8–204, 8–405, and 10–201 through 10–204
30 Annotated Code of Maryland
31 (2009 Replacement Volume and 2013 Supplement)

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
33 MARYLAND, That the Laws of Maryland read as follows:

34 **Article – Correctional Services**

35 9–603.

36 (b) The procedures and standards used to determine drug addiction and
37 treatment of addicted inmates are subject to the guidelines and regulations adopted by

1 the [Alcohol and Drug Abuse Administration in the] Department of Health and
2 Mental Hygiene.

3 Article – Criminal Law

4 5–502.

5 An authorized provider may not dispense methadone, directly or by
6 prescription, unless:

7 (1) the authorized provider is associated with a controlled drug
8 therapy program authorized by the [Alcohol and Drug Abuse Administration of the]
9 Department; or

10 (2) an emergency or medical situation exists under regulations that
11 the Department adopts in cooperation with the Medical and Chirurgical Faculty of
12 Maryland.

13 Article – Criminal Procedure

14 6–229.

15 (c) (1) The State’s Attorney, on request of the defendant or on the State’s
16 Attorney’s own motion, may make an offer to a defendant that if the defendant
17 qualifies for drug or alcohol treatment the State’s Attorney shall dismiss the charge by
18 entering a nolle prosequi with the requirement of drug or alcohol treatment or move
19 that the court indefinitely postpone trial of the charge by marking the charge stet with
20 the requirement of drug or alcohol abuse treatment on the docket.

21 (2) In order to qualify for a nolle prosequi with the requirement of
22 drug or alcohol treatment or a stet with the requirement of drug or alcohol abuse
23 treatment, a defendant shall be evaluated for drug or alcohol abuse by the Department
24 of Health and Mental Hygiene, a designee of the Department, or a private provider
25 **LICENSED TO PROVIDE SUBSTANCE USE DISORDER TREATMENT** under
26 regulations of the [Alcohol and Drug Abuse Administration] **DEPARTMENT OF**
27 **HEALTH AND MENTAL HYGIENE** and the evaluation shall determine whether the
28 defendant is amenable to treatment and, if so, recommend an appropriate treatment
29 program.

30 (3) The drug or alcohol treatment program shall be approved under
31 regulations of the [Alcohol and Drug Abuse Administration] **DEPARTMENT OF**
32 **HEALTH AND MENTAL HYGIENE**.

33 (4) If a defendant qualified under this section accepts an offer
34 described in paragraph (1) of this subsection:

1 (i) the defendant shall sign a consent to the disclosure of such
2 treatment information as may be necessary to allow the disclosure of the disposition of
3 nolle prosequi with the requirement of drug or alcohol treatment or stet with the
4 requirement of drug or alcohol abuse treatment to criminal justice units; and

5 (ii) on successful completion of drug or alcohol treatment, the
6 State's Attorney shall dismiss the charge by entering a nolle prosequi with the
7 requirement of drug or alcohol treatment or move that the court indefinitely postpone
8 trial of the charge by marking the charge stet with the requirement of drug or alcohol
9 abuse treatment on the docket.

10 Article – Education

11 2–303.

12 (h) (1) If the program is based on and complies with the standards
13 established by the bylaws, rules, and regulations of the State Board, the State
14 Superintendent shall approve any program of instruction offered by a State institution
15 under the supervision of:

16 (i) The Department of Juvenile Services;

17 (ii) The Developmental Disabilities Administration or [Mental
18 Hygiene Administration of] **THE BEHAVIORAL HEALTH ADMINISTRATION OF** the
19 Department of Health and Mental Hygiene;

20 (iii) The Department of Public Safety and Correctional Services;

21 or

22 (iv) The residential school located within the Institute of
23 Psychiatry and Human Behavior of the University Hospital.

24 8–412.

25 (a) (7) “Public agency” includes the State Department of Education, local
26 education agencies, and other agencies that are responsible for providing education to
27 a child with a disability, including the Department of Health and Mental Hygiene,
28 [Mental Hygiene Administration] **THE BEHAVIORAL HEALTH ADMINISTRATION**,
29 the Developmental Disabilities Administration, the Department of Juvenile Services,
30 and the Maryland School for the Deaf. For the purpose of this section the Maryland
31 School for the Blind shall be considered a public agency.

32 21–305.

33 (c) (1) Each county board shall transmit to the Department information
34 relating to the postsecondary anticipated services of the county's transitioning

1 students. The information shall be reported in the manner required by the
2 Department.

3 (2) The Department shall aggregate the information provided under
4 paragraph (1) of this subsection and forward the information annually to:

5 (i) The [Mental Hygiene Administration] **BEHAVIORAL**
6 **HEALTH ADMINISTRATION** of the Department of Health and Mental Hygiene;

7 (ii) The Developmental Disabilities Administration of the
8 Department of Health and Mental Hygiene; and

9 (iii) Other appropriate State adult services agencies, as
10 determined by the Department.

11 (3) The information under this section shall include, for each
12 transitioning student:

13 (i) The student's current age;

14 (ii) The projected year of exit of the student from school;

15 (iii) Anticipated needs of the student;

16 (iv) The student's county of residence; and

17 (v) Any other information that the Department considers
18 appropriate.

19 **Article – Health – General**

20 2–106.

21 (a) The following units are in the Department:

22 (1) [Alcohol and Drug Abuse Administration.

23 (2)] Anatomy Board.

24 **(2) BEHAVIORAL HEALTH ADMINISTRATION.**

25 (3) Developmental Disabilities Administration.

26 (4) Health Services Cost Review Commission.

27 (5) Maryland Psychiatric Research Center.

- 1 (6) [Mental Hygiene Administration.
- 2 (7)] Postmortem Examiners Commission.
- 3 [(8) (7) Board of Examiners for Audiologists.
- 4 [(9) (8) Board of Chiropractic Examiners.
- 5 [(10) (9) Board of Dental Examiners.
- 6 [(11) (10) Board of Dietetic Practice.
- 7 [(12) (11) Board of Electrologists.
- 8 [(13) (12) Board of Morticians.
- 9 [(14) (13) Board of Nursing.
- 10 [(15) (14) Board of Examiners of Nursing Home Administrators.
- 11 [(16) (15) Board of Occupational Therapy Practice.
- 12 [(17) (16) Board of Examiners in Optometry.
- 13 [(18) (17) Board of Pharmacy.
- 14 [(19) (18) Board of Physical Therapy Examiners.
- 15 [(20) (19) Board of Physicians.
- 16 [(21) (20) Board of Podiatry Examiners.
- 17 [(22) (21) Board of Professional Counselors and Therapists.
- 18 [(23) (22) Board of Examiners of Psychologists.
- 19 [(24) (23) Board of Social Work Examiners.
- 20 [(25) (24) Board of Examiners for Speech–Language Pathologists.
- 21 [(26) (25) Commission on Physical Fitness.
- 22 [(27) (26) Advisory Council on Infant Mortality.

1 (f) “Program” means the Medical Assistance Program, the Cigarette
2 Restitution Fund Program, [the Mental Hygiene Administration,] the Developmental
3 Disabilities Administration, the [Alcohol and Drug Abuse Administration, the Family
4 Health Administration, the Community Health Administration] **BEHAVIORAL**
5 **HEALTH ADMINISTRATION, THE PREVENTION AND HEALTH PROMOTION**
6 **ADMINISTRATION**, or any other unit of the Department that pays a provider for a
7 service rendered or claimed to have been rendered to a recipient.

8 2–601.

9 (m) “State health program” means the Medical Assistance Program, the
10 Cigarette Restitution Fund Program, [the Mental Hygiene Administration,] the
11 Developmental Disabilities Administration, the [Alcohol and Drug Abuse
12 Administration, the Family Health Administration, the Infectious Disease and
13 Environmental Health Administration] **BEHAVIORAL HEALTH ADMINISTRATION,**
14 **THE PREVENTION AND HEALTH PROMOTION ADMINISTRATION**, or any other unit
15 of the Department that pays a provider for a service rendered or claimed to have been
16 rendered to a recipient.

17 4–307.

18 (a) (3) “Core service agency” means an organization approved by the
19 [Mental Hygiene Administration] **BEHAVIORAL HEALTH ADMINISTRATION** to
20 manage mental health resources and services in a designated area or to a designated
21 target population.

22 (4) “Director” means the Director of the [Mental Hygiene
23 Administration] **BEHAVIORAL HEALTH ADMINISTRATION** or the designee of the
24 Director.

25 5–703.

26 (a) The State Team shall be a multidisciplinary and multiagency review
27 team, composed of at least 25 members, including:

28 (12) The Director of the [Alcohol and Drug Abuse Administration]
29 **BEHAVIORAL HEALTH ADMINISTRATION** of the Department;

30 5–803.

31 The Committee shall:

32 (1) Evaluate causes or factors contributing to deaths in facilities or
33 programs [operated]:

1 **(I) OPERATED** or licensed by the [Mental Hygiene
2 Administration and the] Developmental Disabilities Administration [or operating];

3 **(II) LICENSED BY THE BEHAVIORAL HEALTH**
4 **ADMINISTRATION TO PROVIDE MENTAL HEALTH SERVICES; OR**

5 **(III) OPERATING** by waiver under § 7–903(b) of this article;

6 (2) Review aggregate incident data regarding facilities or programs
7 that are licensed or operated by the Developmental Disabilities Administration or
8 operating by waiver under § 7–903(b) of this article;

9 (3) Identify patterns and systemic problems and ensure consistency in
10 the review process; and

11 (4) Make recommendations to the Secretary and the Secretary of
12 Disabilities to prevent avoidable injuries and avoidable deaths and improve quality of
13 care.

14 5–804.

15 (f) (1) An employee of the Developmental Disabilities Administration or
16 the [Mental Hygiene Administration] **BEHAVIORAL HEALTH ADMINISTRATION**
17 may not be a member of the Committee or any subcommittee of the Committee.

18 5–805.

19 (a) (1) Except as provided in paragraph (3) of this subsection, the Office of
20 Health Care Quality shall review each death of an individual with developmental
21 disabilities or with a mental illness who, at the time of death, resided in or was
22 receiving services from any program or facility licensed or operated by the
23 Developmental Disabilities Administration or operating by waiver under § 7–903(b) of
24 this article, or any program approved, licensed, or operated by the [Mental Hygiene
25 Administration] **DEPARTMENT** under § 10–406, § 10–901, or § 10–902 of this article.

26 5–808.

27 (b) (1) In addition to the public report issued under subsection (a) of this
28 section, the Committee or its subcommittee may at any time issue preliminary
29 findings or make preliminary recommendations to the Secretary, the Secretary of
30 Disabilities, the Director of the Developmental Disabilities Administration, the
31 Director of the [Mental Hygiene Administration] **BEHAVIORAL HEALTH**
32 **ADMINISTRATION**, or to the Director of the Office of Health Care Quality.

33 7–403.

1 (d) If the Secretary determines, based on the application, that the individual
2 has a sole diagnosis of mental disorder, the Secretary shall refer the individual to the
3 [Mental Hygiene Administration] **BEHAVIORAL HEALTH ADMINISTRATION**.

4 7–802.

5 (a) The Developmental Disabilities Administration may ask the [Mental
6 Hygiene Administration] **BEHAVIORAL HEALTH ADMINISTRATION** to accept
7 primary responsibility for an individual in or eligible for admission to a State
8 residential center, if the Developmental Disabilities Administration finds that the
9 individual would be provided for more appropriately in a program for individuals with
10 mental disorders.

11 (b) The [Mental Hygiene Administration] **BEHAVIORAL HEALTH**
12 **ADMINISTRATION** shall determine whether transfer to a mental health program is
13 appropriate.

14 (c) A dispute over a transfer of an individual from the Developmental
15 Disabilities Administration to the [Mental Hygiene Administration] **BEHAVIORAL**
16 **HEALTH ADMINISTRATION** shall be resolved, in accordance with procedures that the
17 Secretary sets, on request of the Developmental Disabilities Administration or the
18 Mental Hygiene Administration.

19 (d) The Director shall give the individual with developmental disability the
20 opportunity for a hearing on the proposed transfer under this section.

21 **TITLE 7.5. BEHAVIORAL HEALTH ADMINISTRATION.**

22 **SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.**

23 **7.5–101.**

24 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) “ADMINISTRATION” MEANS THE BEHAVIORAL HEALTH
27 ADMINISTRATION.

28 (C) “BEHAVIORAL HEALTH” INCLUDES SUBSTANCE USE DISORDERS,
29 ADDICTIVE DISORDERS, AND MENTAL DISORDERS.

30 (D) “BEHAVIORAL HEALTH CARE” INCLUDES PREVENTION, SCREENING,
31 EARLY INTERVENTION, TREATMENT, RECOVERY, SUPPORT, WRAPAROUND, AND
32 REHABILITATION SERVICES, FOR INDIVIDUALS WITH SUBSTANCE USE

1 DISORDERS, ADDICTIVE DISORDERS, MENTAL DISORDERS, OR A COMBINATION
 2 OF THESE DISORDERS.

3 ~~(C)~~ (E) "DIRECTOR" MEANS THE DIRECTOR OF THE
 4 ADMINISTRATION.

5 7.5-102.

6 IT IS THE POLICY OF THE STATE TO ENCOURAGE THE INTEGRATION OF
 7 BEHAVIORAL HEALTH CARE BY MERGING THE ALCOHOL AND DRUG ABUSE
 8 ADMINISTRATION WITH THE MENTAL ~~HEALTH~~ HYGIENE ADMINISTRATION,
 9 AND MANAGING ALL MEDICAID-FUNDED SERVICES UNDER ONE
 10 ADMINISTRATIVE SERVICES ORGANIZATION.

11 SUBTITLE 2. BEHAVIORAL HEALTH ADMINISTRATION.

12 7.5-201.

13 THERE IS A BEHAVIORAL HEALTH ADMINISTRATION IN THE
 14 DEPARTMENT.

15 7.5-202.

16 (A) THE HEAD OF THE ADMINISTRATION IS THE DIRECTOR AND SHALL
 17 BE APPOINTED BY THE SECRETARY.

18 (B) THE DIRECTOR SERVES AT THE PLEASURE OF THE SECRETARY.

19 (C) ~~THE DIRECTOR SHALL:~~

20 ~~(1) HAVE AT LEAST:~~

21 ~~(i) A BACCALAUREATE DEGREE; AND~~

22 ~~(ii) EXPERIENCE IN HEALTH ADMINISTRATION; AND~~

23 ~~(2) BE KNOWLEDGEABLE ABOUT THE FUNCTIONS AND PROGRAMS~~
 24 ~~OF THE ADMINISTRATION.~~

25 ~~(D)~~ THE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN THE
 26 STATE BUDGET.

27 7.5-203.

1 (A) (1) THE DIRECTOR EXERCISES THE POWERS, DUTIES, AND
2 RESPONSIBILITIES OF OFFICE SUBJECT TO THE AUTHORITY OF THE
3 SECRETARY.

4 (2) THE DIRECTOR SHALL REPORT TO THE DEPUTY SECRETARY
5 FOR BEHAVIORAL HEALTH AND DISABILITIES.

6 (B) THE SECRETARY MAY EXERCISE ANY POWER OR PERFORM ANY
7 DUTY OF THE ADMINISTRATION.

8 **7.5-204.**

9 (A) THE DIRECTOR IS RESPONSIBLE FOR CARRYING OUT THE POWERS,
10 DUTIES, AND RESPONSIBILITIES OF THE ADMINISTRATION.

11 (B) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS
12 TITLE, THE DIRECTOR MAY:

13 (1) WITHIN THE AMOUNTS MADE AVAILABLE BY APPROPRIATION,
14 ~~GIFT,~~ OR GRANT, MAKE ANY AGREEMENT OR JOINT FINANCIAL ARRANGEMENT
15 TO DO OR HAVE DONE ANYTHING NECESSARY, DESIRABLE, OR PROPER TO
16 CARRY OUT THE PURPOSES OF THIS TITLE;

17 (2) ORGANIZE AND MANAGE THE ADMINISTRATION IN A MANNER
18 THAT WILL ENABLE IT BEST TO DISCHARGE THE DUTIES OF THE
19 ADMINISTRATION;

20 (3) APPOINT THE NUMBER OF ASSISTANT DIRECTORS AND STAFF
21 PROVIDED FOR IN THE STATE BUDGET;

22 (4) REMOVE AN ASSISTANT DIRECTOR FOR INCOMPETENCE OR
23 MISCONDUCT; AND

24 (5) UNLESS EXPRESSLY PROVIDED OTHERWISE BY LAW, ASSIGN
25 TO ANY SUBORDINATE UNIT OR INDIVIDUAL IN THE ADMINISTRATION ANY
26 FUNCTION THAT IS IMPOSED BY LAW ON THE DIRECTOR.

27 (C) IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS TITLE,
28 THE DIRECTOR SHALL:

29 (1) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF
30 THIS TITLE, INCLUDING PROVISIONS SETTING REASONABLE FEES FOR THE
31 ISSUANCE AND RENEWAL OF ~~LICENSURE FOR THOSE PROGRAMS LICENSED TO~~
32 ~~PERFORM MEDICATION ASSISTED TREATMENT;~~ LICENSES; AND

1 **(2) DO ANYTHING NECESSARY OR PROPER TO CARRY OUT THE**
 2 **SCOPE OF THIS TITLE.**

3 **(D) THE DIRECTOR IS RESPONSIBLE FOR SUPERVISING THE CUSTODY,**
 4 **CARE, AND TREATMENT OF INDIVIDUALS WHO HAVE MENTAL DISORDERS.**

5 **(E) THE DIRECTOR SHALL PROVIDE FACILITIES FOR THE CARE AND**
 6 **TREATMENT OF INDIVIDUALS WHO HAVE MENTAL DISORDERS.**

7 **(F) (1) THE DIRECTOR SHALL ESTABLISH PROGRAMS FOR RESEARCH**
 8 **AND DEVELOPMENT OF CARE AND TREATMENT FOR INDIVIDUALS WHO HAVE**
 9 **~~MENTAL~~ BEHAVIORAL HEALTH DISORDERS.**

10 **(2) THE DIRECTOR MAY PROVIDE MONEY FOR A PUBLIC OR**
 11 **NONPROFIT ORGANIZATION TO CARRY OUT PILOT OR DEMONSTRATION**
 12 **PROJECTS REGARDING INDIVIDUALS WHO HAVE ~~MENTAL~~ BEHAVIORAL HEALTH**
 13 **DISORDERS.**

14 Title 8. [Alcohol and Drug Abuse Administration] **SUBSTANCE USE DISORDERS**
 15 **LAW.**

16 8–101.

17 (b) “Administration” means the [Alcohol and Drug Abuse] **BEHAVIORAL**
 18 **HEALTH** Administration.

19 **(M) “SUBSTANCE USE DISORDER” MEANS ALCOHOL ABUSE, ALCOHOL**
 20 **DEPENDENCE, ALCOHOL MISUSE, DRUG ABUSE, DRUG DEPENDENCE, DRUG**
 21 **MISUSE, OR ANY COMBINATION OF THESE.**

22 8–402.

23 (a) The [Administration] **SECRETARY** shall:

24 (1) Plan and encourage development of, and coordinate the [facilities]
 25 **PROGRAMS** and services that offer treatment, care, or rehabilitation for [alcohol and
 26 drug abusers] **INDIVIDUALS WITH A SUBSTANCE USE DISORDER**; and

27 (2) Adopt regulations[:

28 (i) To set] **SETTING** standards for treatment, care, and
 29 rehabilitation of [alcohol and drug abusers; and

1 (ii) To ensure that before a facility is certified under this title to
 2 provide treatment, care, or rehabilitation of alcohol or drug abusers, an opportunity to
 3 comment, concerning whether the facility meets certification requirements, is provided
 4 to representatives of the county government and, if in a municipal corporation, the
 5 municipal government and to private citizens in the community where the facility is
 6 proposed to be located] **INDIVIDUALS WITH A SUBSTANCE USE DISORDER.**

7 (b) The [Administration] **SECRETARY** may establish and operate or identify
 8 [facilities] **PROGRAMS** and services, including evaluation [facilities] **SERVICES** to
 9 determine if [an individual is a drug abuser or alcohol abuser or dependent on drugs
 10 or alcohol] **AN INDIVIDUAL HAS A SUBSTANCE USE DISORDER.**

11 (c) A facility that the Administration operates or contracts to be operated is
 12 a health facility and is not, for any purpose, a correctional institution.

13 (d) ~~An individual may not be discriminated against based on an inability to~~
 14 ~~pay for any services provided by the Administration either directly or by contract.~~

15 ~~(e)~~ To carry out the purposes of this title, the [Administration] **SECRETARY**
 16 may contract with any appropriate public or private agency that has proper and
 17 adequate [treatment facilities, services, and staff] **SUBSTANCE USE DISORDER**
 18 **PROGRAMS.**

19 ~~(E)~~ **(E)** (1) The Administration annually shall evaluate all publicly funded
 20 substance [abuse] **USE DISORDER** treatment programs [certified] **LICENSED** under
 21 this subtitle using federal outcomes measures or other subsequently adopted federal
 22 standards ~~to determine the extent [that] TO WHICH individuals who have received~~
 23 ~~treatment under these programs have:~~

- 24 ~~(i) Been successfully retained in the treatment program;~~
- 25 ~~(ii) Been successfully discharged from the treatment program;~~
- 26 ~~(iii) Reduced substance use;~~
- 27 ~~(iv) Successfully attained, maintained, or increased their~~
 28 ~~employment;~~
- 29 ~~(v) Demonstrated a decrease in engaging in criminal activity;~~
 30 ~~and~~
- 31 ~~(vi) Successfully established or maintained stable living~~
 32 ~~arrangements.~~

1 (2) The [Administration] SECRETARY shall adopt regulations
2 necessary to allow [it] ~~THE SECRETARY~~ **DIRECTOR** to conduct the performance and
3 outcome research required under paragraph (1) of this subsection.

4 8-403.

5 [(a) In this section, “alcohol abuse and drug abuse treatment program”:

6 (1) Means any individual or organization that provides treatment,
7 care, or rehabilitation for individuals who show the effects of drug abuse or alcohol
8 abuse, and represents or advertises itself as an alcohol abuse or drug abuse treatment
9 program; and

10 (2) Includes a program or facility that is owned or operated by this
11 State or any of its political subdivisions.]

12 **(A) (1) IN THIS SECTION, “SUBSTANCE USE DISORDER PROGRAM”**
13 **MEANS A SET OF SERVICES THAT ARE COMMUNITY BASED AND CONSIST OF:**

14 **(I) ANY COMBINATION OF TREATMENT, CARE, OR**
15 **REHABILITATION FOR INDIVIDUALS WITH A SUBSTANCE USE DISORDER; OR**

16 **(II) EDUCATION FOR INDIVIDUALS KNOWN TO BE AT RISK**
17 **OF DEVELOPING A SUBSTANCE USE DISORDER.**

18 **(2) “SUBSTANCE USE DISORDER PROGRAM” INCLUDES A SET OF**
19 **SERVICES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WHEN**
20 **PROVIDED BY A PROGRAM OR FACILITY OWNED OR OPERATED BY THE STATE OR**
21 **ANY OF ITS POLITICAL SUBDIVISIONS.**

22 (b) Except as otherwise provided in this section, [an alcohol abuse and drug
23 abuse treatment program] **A SUBSTANCE USE DISORDER PROGRAM** shall be
24 [certified] **LICENSED** by the [Department] **SECRETARY** before program services may
25 be provided in this State.

26 (c) [This section does not apply to] ~~**THE FOLLOWING PERSONS NEED NOT**~~
27 ~~**BE LICENSED**~~ **THE SECRETARY MAY NOT REQUIRE THAT THE FOLLOWING**
28 **PERSONS OBTAIN A LICENSE UNDER THIS SECTION IN ORDER TO PROVIDE**
29 **SUBSTANCE USE DISORDER SERVICES IN THE STATE:**

30 (1) A health professional, **IN EITHER SOLO OR GROUP PRACTICE,**
31 **WHO IS** licensed under the Health Occupations Article [who is treating patients
32 within the scope of the professional’s practice and who does not advertise the practice
33 as an alcohol abuse or drug abuse program] **AND WHO IS PROVIDING SUBSTANCE**

1 USE DISORDER SERVICES ACCORDING TO THE REQUIREMENTS OF THE
2 APPROPRIATE PROFESSIONAL BOARD;

3 (2) Alcoholics Anonymous, Narcotics Anonymous, [transitional]
4 RECOVERY housing programs, or other similar organizations, if the organization
5 holds meetings or provides support services to help individuals who show the effects of
6 [drug abuse or alcohol abuse] A SUBSTANCE USE DISORDER AND DOES NOT
7 PROVIDE ANY TYPE OF SUBSTANCE USE DISORDER TREATMENT; [or]

8 (3) An employees' assistance program of a business entity; OR

9 (4) SERVICES PROVIDED IN REGULATED SPACE IN A HOSPITAL,
10 AS DEFINED IN § 19-301 OF THIS ARTICLE, IN AN OUTPATIENT SETTING TO
11 TREAT A SUBSTANCE USE DISORDER IF THE HOSPITAL IS ACCREDITED BY ~~THE~~
12 ~~JOINT COMMISSION~~ AN APPROVED ACCREDITATION ORGANIZATION UNDER ITS
13 BEHAVIORAL HEALTH STANDARDS.

14 [(d) Unless requested, the certification requirements of this section do not
15 apply to a hospital as defined in § 19-301 of this article accredited by the Joint
16 Commission on Accreditation of Hospitals with a separately accredited alcohol and
17 drug abuse program.

18 (e) An intermediate care facility, alcoholic (type C or D), shall be certified as
19 an intermediate care alcohol abuse and drug abuse treatment facility.]

20 8-404.

21 [(a) The Department shall adopt regulations for establishing, operating, and
22 certifying alcohol abuse and drug abuse treatment programs that include:

23 (1) Procedures for consulting with the Administration to set standards
24 relating to alcohol abuse and drug abuse treatment care and rehabilitation services;

25 (2) Standards relating to environmental and safety requirements
26 concerning physical plant, equipment, and structure;

27 (3) Standards relating to programmatic operations of alcohol and drug
28 abuse treatment, care, and rehabilitation services; and

29 (4) Provisions for denials, suspensions, and revocations of certification.

30 (b) The Department may adopt regulations for certifying individuals
31 providing alcohol abuse and drug abuse treatment.

32 (c) An applicant for certification shall submit an application to the
33 Department on the form that the Department requires.

1 (d) The Department shall issue a certificate to an individual or organization
2 providing alcohol abuse and drug abuse treatment, care, and rehabilitation services
3 that meets the Department's certification requirements.

4 (e) Before the Department disapproves an application, the Department shall
5 give the applicant an opportunity for a hearing.]

6 (A) (1) THE SECRETARY SHALL ADOPT REGULATIONS FOR
7 ESTABLISHING, OPERATING, AND LICENSING A SUBSTANCE USE DISORDER
8 PROGRAM.

9 (2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL
10 INCLUDE:

11 (I) THE REQUIREMENTS FOR LICENSURE OF A SUBSTANCE
12 USE DISORDER PROGRAM;

13 (II) THE PROCESS FOR A SUBSTANCE USE DISORDER
14 PROGRAM TO APPLY FOR A LICENSE;

15 (III) A DESCRIPTION OF THE SUBSTANCE USE DISORDER
16 PROGRAMS THAT ARE REQUIRED TO BE LICENSED;

17 (IV) ANY REQUIREMENTS FOR THE GOVERNANCE OF A
18 SUBSTANCE USE DISORDER PROGRAM, INCLUDING A PROVISION PROHIBITING A
19 CONFLICT OF INTEREST BETWEEN THE INTERESTS OF THE PROVIDER AND
20 THOSE OF THE INDIVIDUALS RECEIVING SERVICES;

21 (V) PROVISIONS FOR ~~ANNOUNCED OR UNANNOUNCED~~
22 INSPECTIONS OF A SUBSTANCE USE DISORDER PROGRAM, INCLUDING
23 INSPECTION AND COPYING OF THE RECORDS OF A SUBSTANCE USE DISORDER
24 PROGRAM IN ACCORDANCE WITH STATE AND FEDERAL LAW; AND

25 (VI) PROVISIONS FOR DENIALS, SUSPENSIONS, AND
26 REVOCATIONS OF LICENSES, INCLUDING NOTICE AND AN OPPORTUNITY TO BE
27 HEARD.

28 (B) THE SECRETARY MAY REQUIRE A SUBSTANCE USE DISORDER
29 PROGRAM TO BE GRANTED ACCREDITATION BY AN ACCREDITATION
30 ORGANIZATION APPROVED BY THE SECRETARY UNDER TITLE 19, SUBTITLE 23
31 OF THIS ARTICLE AS A CONDITION OF LICENSURE UNDER REGULATIONS
32 ADOPTED UNDER THIS SECTION.

1 [(f)] (C) Except as otherwise provided in this subtitle, [an individual or
2 organization] **A PERSON** may not operate [or], attempt to operate [an alcohol abuse
3 and drug abuse treatment program], **OR PURPORT TO OPERATE A SUBSTANCE USE**
4 **DISORDER PROGRAM** in the State unless [certified] **THE PROGRAM IS LICENSED** by
5 the [Department] **SECRETARY**.

6 [(g) An individual or organization who operates an alcohol abuse and drug
7 abuse treatment program in violation of this title is guilty of a misdemeanor.]

8 8–503.

9 (a) If, after the police arrest an intoxicated individual for a criminal offense,
10 the individual seems to require emergency medical treatment, the police immediately
11 shall take the individual to a detoxification center or other appropriate health care
12 facility as defined in § 19–114(d) of this article.

13 (b) (1) If necessary, after medical treatment, the police shall transport the
14 individual to a **PROGRAM THAT PROVIDES** detoxification [facility] **SERVICES**.

15 (2) The individual may be admitted to the [detoxification facility] **A**
16 **PROGRAM THAT PROVIDES DETOXIFICATION SERVICES** in accordance with the
17 provisions of § 8–501(d) of this subtitle.

18 8–702.

19 (a) [An individual or organization may not operate an alcohol abuse and
20 drug abuse treatment] **A PERSON MAY NOT OPERATE A SUBSTANCE USE**
21 **DISORDER** program in violation of this title.

22 (b) A person who violates any provision of this section is guilty of a
23 misdemeanor and on conviction is subject to a fine not exceeding \$10,000.

24 Title 10. Mental [Hygiene] **HEALTH** Law.

25 10–101.

26 (b) “Administration” means the [Mental Hygiene] **BEHAVIORAL HEALTH**
27 Administration.

28 (d) “Director” means the Director of [Mental Hygiene] **THE BEHAVIORAL**
29 **HEALTH** Administration.

30 10–901.

1 [(a) (1) The Secretary shall adopt rules and regulations that set standards
2 for:

3 (i) Eligibility for State funding of local mental health programs
4 under Part I of this subtitle;

5 (ii) Qualifications of staff and quality of professional services of
6 eligible programs;

7 (iii) Eligibility for receiving services under eligible programs;
8 and

9 (iv) Accreditation of a facility as defined in § 10–101(e) of this
10 title.

11 (2) The Secretary may consider accreditation by the Joint Commission
12 on Accreditation of Healthcare Organizations (JCAHO) or the Commission on
13 Accreditation of Rehabilitation Facilities (CARF), whichever is appropriate, as
14 meeting the rules and regulations adopted under this subtitle.

15 (3) The rules and regulations shall ensure:

16 (i) That an individual is not discriminated against based on an
17 inability to pay for services; and

18 (ii) That an individual is not discriminated against or denied
19 community–based mental health services based on the individual’s lack of a fixed
20 address or because the individual is homeless.

21 (4) The rules and regulations shall require that, prior to approval for
22 receipt of State funding under Part I of this subtitle, a nonprofit organization or
23 private community–based organization shall submit the following to the Department:

24 (i) A written list of the names of the members of the board of
25 directors and corporate officers of the organization;

26 (ii) A business plan that clearly demonstrates the ability of the
27 organization to provide services in accordance with Maryland regulations and funding
28 requirements;

29 (iii) A summary of the organization’s demonstrated experience in
30 the field of mental health, in accordance with standards developed by the Department;

31 (iv) Prior licensing reports issued within the previous 10 years
32 from any in–State or out–of–state entities associated with the organization, including
33 deficiency reports and compliance records on which the State may make reasoned
34 decisions about the qualifications of the organization; and

1 (v) A written quality assurance plan, approved by the Mental
2 Hygiene Administration, to address how the organization will ensure the health and
3 safety of the individuals served by the organization and the quality of services
4 provided to individuals by the organization.

5 (5) In order for a nonprofit organization or private community-based
6 organization to be eligible to receive funds under Part I of this subtitle:

7 (i) An immediate family member of an employee of an
8 organization may not serve as a voting member of the governing body of the
9 organization; and

10 (ii) A member of the governing body of the organization may not
11 have served as a member of a governing body of an organization that has had a license
12 revoked by the Department within the previous 10 years.

13 (6) Before determining that a nonprofit organization or private
14 community-based organization is eligible to receive funds under Part I of this subtitle,
15 the Department shall perform an on-site investigation of the organization.]

16 (A) IN THIS SECTION, "MENTAL HEALTH PROGRAM" MEANS A SET OF
17 SERVICES THAT CONSISTS OF COMMUNITY-BASED TREATMENT, CARE, OR
18 REHABILITATION SERVICES, OR ANY COMBINATION OF THESE, FOR
19 INDIVIDUALS WITH A MENTAL DISORDER.

20 (B) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A MENTAL
21 HEALTH PROGRAM SHALL BE LICENSED BY THE SECRETARY BEFORE PROGRAM
22 SERVICES MAY BE PROVIDED IN THE STATE.

23 (C) ~~THE FOLLOWING PERSONS NEED NOT BE LICENSED~~ THE
24 SECRETARY MAY NOT REQUIRE THAT THE FOLLOWING PERSONS OBTAIN A
25 LICENSE UNDER THIS SECTION IN ORDER TO PROVIDE MENTAL HEALTH
26 SERVICES IN THE STATE:

27 (1) A HEALTH PROFESSIONAL, IN EITHER SOLO OR GROUP
28 PRACTICE, WHO IS LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE AND
29 WHO IS PROVIDING MENTAL HEALTH SERVICES ACCORDING TO THE
30 REQUIREMENTS OF THE APPROPRIATE PROFESSIONAL BOARD;

31 (2) OUTPATIENT MENTAL HEALTH SERVICES THAT ARE
32 PROVIDED IN REGULATED SPACE IN A HOSPITAL, AS DEFINED UNDER § 19-301
33 OF THIS ARTICLE IF THE HOSPITAL IS ACCREDITED BY ~~THE JOINT COMMISSION~~
34 ~~UNDER THE~~ AN APPROVED ACCREDITATION ORGANIZATION UNDER ITS
35 BEHAVIORAL HEALTH STANDARDS OF THE JOINT COMMISSION; OR

1 **(3) A THERAPEUTIC GROUP HOME AS DEFINED UNDER § 10-920**
2 **OF THIS SUBTITLE.**

3 **(D) (1) THE SECRETARY SHALL ADOPT REGULATIONS FOR:**

4 **(I) ESTABLISHING, OPERATING, AND LICENSING A MENTAL**
5 **HEALTH PROGRAM; AND**

6 **(II) ELIGIBILITY FOR STATE AND FEDERAL FUNDING FOR**
7 **MENTAL HEALTH PROGRAMS UNDER PART I OF THIS SUBTITLE.**

8 **(2) THE SECRETARY MAY REQUIRE A MENTAL HEALTH PROGRAM**
9 **TO BE GRANTED ACCREDITATION BY AN ACCREDITATION ORGANIZATION**
10 **APPROVED BY THE SECRETARY UNDER TITLE 19, SUBTITLE 23 OF THIS**
11 **ARTICLE AS A CONDITION OF LICENSURE UNDER REGULATIONS ADOPTED**
12 **UNDER THIS SUBSECTION.**

13 **(3) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL**
14 **INCLUDE:**

15 **(I) THE REQUIREMENTS FOR LICENSURE OF A MENTAL**
16 **HEALTH PROGRAM;**

17 **(II) THE PROCESS FOR A MENTAL HEALTH PROGRAM TO**
18 **APPLY FOR A LICENSE;**

19 **(III) A DESCRIPTION OF THE MENTAL HEALTH PROGRAMS**
20 **THAT ARE REQUIRED TO BE LICENSED;**

21 **(IV) ANY REQUIREMENTS FOR THE GOVERNANCE OF A**
22 **MENTAL HEALTH PROGRAM, INCLUDING A PROVISION PROHIBITING A**
23 **CONFLICT OF INTEREST BETWEEN THE INTERESTS OF THE PROVIDER AND**
24 **THOSE OF THE INDIVIDUALS RECEIVING SERVICES;**

25 **(V) PROVISIONS FOR ~~ANNOUNCED OR UNANNOUNCED~~**
26 **INSPECTIONS OF A MENTAL HEALTH PROGRAM, INCLUDING INSPECTION AND**
27 **COPYING OF THE RECORDS OF A MENTAL HEALTH PROGRAM IN ACCORDANCE**
28 **WITH STATE AND FEDERAL LAW; AND**

29 **(VI) PROVISIONS FOR DENIALS, SUSPENSIONS, AND**
30 **REVOCATIONS OF LICENSES, INCLUDING NOTICE AND AN OPPORTUNITY TO BE**
31 **HEARD.**

1 **[(b)] (E)** The Secretary shall:

2 (1) Through the regional mental health director, provide a county with
3 consultative staff services to help ascertain local needs and plan and establish local
4 mental health programs;

5 (2) Review and evaluate local programs and personnel practices;

6 (3) Make recommendations to the governing body, health officer of a
7 county, and the director of the Montgomery County Department of Health and Human
8 Services on the local program and personnel practices; **AND**

9 (4) Review and either approve or disapprove the plans and budgets
10 that a county governing body submits for State funding under Part I of this subtitle[;
11 and].

12 **[(5)] (F)** **[Exercise] THE SECRETARY MAY EXERCISE** any other
13 power or duty required to carry out Part I of this subtitle.

14 19–2301.

15 (d) “Health care facility” means:

16 (1) A hospital as defined in § 19–301 of this title;

17 (2) A health maintenance organization as defined in § 19–701(g) of
18 this title;

19 (3) A freestanding ambulatory care facility as defined in § 19–3B–01 of
20 this title;

21 (4) An assisted living facility as defined in § 19–1801 of this title;

22 (5) A laboratory as defined in § 17–201 of this article;

23 (6) A home health agency as defined in § 19–401 of this title;

24 (7) A residential treatment center as defined in § 19–301 of this title;

25 (8) A comprehensive rehabilitation facility as defined in § 19–1201 of
26 this title; **[and]**

27 (9) A forensic laboratory as defined in § 17–2A–01 of this article;

28 **(10) A SUBSTANCE USE DISORDER PROGRAM AS DEFINED IN §**
29 **8–403 OF THIS ARTICLE; AND**

- 1 (ii) Six shall be appointed by the Governor.
- 2 (3) Of the six appointed by the Governor:
- 3 (i) Three shall be program administrators;
- 4 (ii) One shall be a residential child and youth care practitioner;
- 5 and
- 6 (iii) Two shall be consumer members.

7 Article – Human Services

8 5–314.

9 (h) (1) The local department shall reduce the temporary cash assistance
10 benefits of an adult or minor parent recipient and pay the remainder of the cash
11 benefits to a third party payee or a compliant adult recipient as described in
12 subsection (g) of this section, if:

13 (i) the recipient fails to complete a substance ~~abuse~~ **USE**
14 **DISORDER** screening or assessment by an addictions specialist, as required under
15 subsections (b)(2) and (c)(1)(i) of this section; or

16 (ii) the required screening and assessment or the results of any
17 follow-up diagnostic testing or treatment reveal that the recipient ~~is~~ **HAS** a substance
18 ~~abuser~~ **USE DISORDER** and the recipient refuses to enroll or maintain enrollment in
19 available and appropriate substance ~~abuse~~ **USE DISORDER** treatment.

20 (2) The local department shall continue to make temporary cash
21 assistance benefits payments to a third party payee or a compliant adult recipient
22 until the local department receives notice from the addictions specialist that the
23 recipient is actively enrolled, as defined by the [Alcohol and Drug Abuse
24 Administration] **DEPARTMENT**, in the appropriate substance ~~abuse~~ **USE DISORDER**
25 treatment indicated by the addictions specialist.

26 8–406.

- 27 (a) Each local care team shall include:
- 28 (1) at least one representative from:
- 29 (i) the Department of Juvenile Services;
- 30 (ii) the Developmental Disabilities Administration;

- 1 (iii) [the Alcohol and Drug Abuse Administration;
- 2 (iv) the Mental Hygiene Administration or the local core service
- 3 agency] **THE BEHAVIORAL HEALTH ADMINISTRATION;**
- 4 **(IV) IF DETERMINED TO BE APPROPRIATE BY THE**
- 5 **BEHAVIORAL HEALTH ADMINISTRATION, THE LOCAL CORE SERVICE AGENCY;**
- 6 (v) the local school system;
- 7 (vi) the local health department;
- 8 (vii) the local department of social services; and
- 9 (viii) the local management board;
- 10 (2) a parent, parent advocate, or both, appointed by the chair of the
- 11 local care team in consultation with the child advocacy community; and
- 12 (3) a nonvoting representative of the local office of the division of
- 13 rehabilitative services to represent individuals who are 16 years old and older.

14 **Article – Public Safety**

15 1–401.

16 (b) The Board consists of the following members:

17 (7) the [Executive] Director of the [Mental Hygiene Administration]

18 **BEHAVIORAL HEALTH ADMINISTRATION** of the Department of Health and Mental

19 Hygiene, or the [Executive] Director’s designee;

20 **Article – State Finance and Procurement**

21 10–309.

22 (a) In this section, “State facility” means:

23 (1) a facility maintained by the [Mental Hygiene Administration]

24 **BEHAVIORAL HEALTH ADMINISTRATION** of the Department of Health and Mental

25 Hygiene and listed in § 10–406 of the Health – General Article; or

26 (2) a State residential center for individuals with an intellectual

27 disability in the Developmental Disabilities Administration of the Department of

28 Health and Mental Hygiene.

1 (b) A cemetery owned by the State and located on the grounds of a State
2 facility may not be sold by the State if the State facility is downsized, consolidated,
3 closed, or sold.

4 (c) A cemetery owned by the State shall be maintained by the State and
5 marked with a monument commemorating the individuals interred in the cemetery.

6 (d) Any easement or right of entry to a cemetery owned by the State and
7 located on the grounds of a State facility that has been recorded among the land
8 records of the county where the cemetery is located on or before October 1, 2004 may
9 not be transferred or sold.

10 (e) Notwithstanding subsections (b) and (d) of this section, a cemetery or an
11 easement or right of entry to a cemetery owned by the State and located on the
12 grounds of a State facility may be sold by the State if the deed for the property
13 includes a restrictive covenant requiring the owner and any future owner to maintain
14 the cemetery as provided under subsection (c) of this section.

15 Article – State Government

16 9–2802.

17 (a) (2) The Council consists of the following nonvoting members:

18 (i) the Director of the [Alcohol and Drug Abuse Administration
19 of the Department of Health and Mental Hygiene;

20 (ii) the Director of Mental Hygiene of the Department of Health
21 and Mental Hygiene] **BEHAVIORAL HEALTH ADMINISTRATION**;

22 [(iii)] **(II)** a representative of the Department of Public Safety
23 and Correctional Services, designated by the Secretary of Public Safety and
24 Correctional Services;

25 [(iv)] **(III)** a deputy Secretary of the Department of Public Safety
26 and Correctional Services; and

27 [(v)] **(IV)** the President of the Maryland Addiction Directors’
28 Council.

29 9–2806.

30 The [Alcohol and Drug Abuse Administration] **BEHAVIORAL HEALTH**
31 **ADMINISTRATION** shall provide staff for the Council.

32 Article – Transportation

1 16-212.

2 (f) (1) The Administration may waive attendance at an alcohol education
3 program conducted by the Administration if an individual attends a private alcohol
4 education program or an alcohol education program provided by a political subdivision
5 of the State that is approved by the [Alcohol and Drug Abuse Administration]
6 **BEHAVIORAL HEALTH ADMINISTRATION** and the Administration.

7 16-212.1.

8 (a) The Administration, in cooperation with the [Alcohol and Drug Abuse
9 Administration] **BEHAVIORAL HEALTH ADMINISTRATION**, shall establish an
10 alcohol and drug education program to educate driver's license applicants who are
11 subject to the provisions of § 16-105(f)(3) of this title. This program also shall be
12 included as part of the driver education course established under Subtitle 5 of this
13 title.

14 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-201 through
15 8-204, 8-405, and 10-201 through 10-204 of Article – Health – General of the
16 Annotated Code of Maryland be repealed.

17 SECTION 3. AND BE IT FURTHER ENACTED, That:

18 (a) The Secretary of Health and Mental Hygiene shall convene a stakeholder
19 workgroup to make recommendations on issues related to behavioral health, including
20 statutory and regulatory changes to:

21 (1) fully integrate mental health and substance use disorder
22 treatment and recovery support; and

23 (2) promote health services.

24 (b) The workgroup convened under subsection (a) of this section shall include
25 representatives of the Department of Health and Mental Hygiene, providers,
26 consumers, and advocacy organizations.

27 (c) On or before December 1, 2014, the Department of Health and Mental
28 Hygiene shall report the findings and recommendations of the workgroup to the
29 Governor and, in accordance with § 2-1246 of the State Government Article, the
30 General Assembly.

31 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect July 1, 2014.