

SENATE BILL 781

E4, J1

2lr2877

By: **Senator Hester**

Introduced and read first time: February 7, 2022

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety and Behavioral Health Improvement Act**

3 FOR the purpose of requiring the Governor’s Office of Crime Prevention, Youth, and Victim
4 Services to take certain actions related to the inclusion of performance data and
5 information in reports and the creation of a scorecard of quantifiable safety
6 indicators; requiring the Maryland Department of Health to adopt regulations
7 establishing criteria for certifying peer support specialists as nonclinical health care
8 providers; requiring the Governor to include in the annual budget bill an
9 appropriation for the Maryland Behavioral Health and Public Safety Center of
10 Excellence within the Office for the purposes of carrying out the Center’s mission;
11 establishing a behavioral health screening grant program within the Department;
12 requiring the Maryland 9–1–1 Board to establish training requirements for public
13 safety answering point personnel; requiring the Governor to appoint the Executive
14 Director of the Office with the advice and consent of the Senate; and generally
15 relating to public safety and behavioral health in the State.

16 BY adding to

17 Article – Health – General

18 Section 7.5–901 to be under the new subtitle “Subtitle 9. Peer Support Services”; and
19 13–4207

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2021 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Health – General

24 Section 13–4202

25 Annotated Code of Maryland

26 (2019 Replacement Volume and 2021 Supplement)

27 BY repealing and reenacting, without amendments,

28 Article – Public Safety

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 1–301(a) and (b) and 1–306(a) and (e)
2 Annotated Code of Maryland
3 (2018 Replacement Volume and 2021 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article – Public Safety
6 Section 1–306(b)(15)
7 Annotated Code of Maryland
8 (2018 Replacement Volume and 2021 Supplement)

9 BY adding to
10 Article – Public Safety
11 Section 1–306(h)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2021 Supplement)

14 BY adding to
15 Article – State Government
16 Section 9–3501 through 9–3503 to be under the new subtitle “Subtitle 35. Governor’s
17 Office of Crime Prevention, Youth, and Victim Services”
18 Annotated Code of Maryland
19 (2021 Replacement Volume)

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

22 **Article – Health – General**

23 **SUBTITLE 9. PEER SUPPORT SERVICES.**

24 **7.5–901.**

25 (A) IN THIS SUBTITLE, “PEER SUPPORT SPECIALIST” MEANS AN INDIVIDUAL
26 WHO PROVIDES PEER SUPPORT SERVICES, AS DEFINED UNDER §
27 7.5–101 OF THIS TITLE.

28 (B) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL ADOPT
29 REGULATIONS THAT ESTABLISH CRITERIA FOR CERTIFYING PEER SUPPORT
30 SPECIALISTS AS NONCLINICAL HEALTH CARE PROVIDERS.

31 (C) THE CRITERIA FOR CERTIFYING A PEER SUPPORT SPECIALIST UNDER
32 THIS SECTION SHALL REQUIRE AN INDIVIDUAL TO:

33 (1) HAVE BEEN IN RECOVERY FOR A MENTAL OR BEHAVIORAL
34 HEALTH DISORDER FOR AT LEAST 2 YEARS; OR

1 **(2) HAVE AT LEAST 2 YEARS OF EXPERIENCE AS A FAMILY MEMBER**
2 **OF OR CAREGIVER FOR AN INDIVIDUAL WITH A MENTAL OR BEHAVIORAL HEALTH**
3 **DISORDER.**

4 13-4202.

5 (a) There is a Maryland Behavioral Health and Public Safety Center of Excellence
6 in the Governor's Office of Crime Prevention, Youth, and Victim Services.

7 (b) The purposes of the Center are to:

8 (1) Act as the statewide information repository for behavioral health
9 treatment and diversion programs related to the criminal justice system;

10 (2) Lead the development of a strategic plan to increase treatment and
11 reduce the detention of individuals with behavioral health disorders involved in the
12 criminal justice system;

13 (3) Provide technical assistance to local governments for developing
14 effective behavioral health systems of care that prevent and minimize involvement with
15 the criminal justice system for individuals with behavioral health disorders;

16 (4) Facilitate local or regional planning workshops using the Sequential
17 Intercept Model;

18 (5) Coordinate with the Department and the Behavioral Health
19 Administration to implement and track the progress of creating an effective behavioral
20 health system of care in the State relating to individuals involved in the criminal justice
21 system; and

22 (6) Identify and inform any relevant stakeholders of any federal funding
23 available to the Center to carry out the mission of the Center, including through the
24 provision of grants, scholarships, and other funding to recipients engaged in training, the
25 provision of services, or the study of matters relating to behavioral health, public safety,
26 and criminal justice.

27 (c) In carrying out its duties, the Center shall continuously monitor and analyze
28 its models, plans, policies, strategies, programs, technical assistance, and training for their
29 validity and for opportunities to reduce and eliminate disparities in the criminalization of
30 racial minorities with behavioral health disorders and increase access to culturally
31 competent care.

32 (d) (1) The Governor's Office of Crime Prevention, Youth, and Victim Services
33 shall appoint the following individuals to jointly oversee the Center:

34 (i) A crisis intervention law enforcement coordinator;

1 (ii) A mental health coordinator; and

2 (iii) Any other individuals determined necessary by the Office.

3 (2) The individuals appointed under paragraph (1) of this subsection may
4 be associated with the Crisis Intervention Team Center of Excellence within the Governor's
5 Office of Crime Prevention, Youth, and Victim Services.

6 (e) The Center may designate points of contact throughout the State who
7 specialize in behavioral health treatment within the criminal justice system to brief the
8 Center on the progress of statewide implementation of diversion programs.

9 (f) The Center may coordinate with the Justice Reinvestment Oversight Board
10 and other State entities working to reduce State and local detention facility populations
11 and recidivism.

12 (g) (1) The Center may enter into contracts with the University of Maryland
13 System, Maryland HBCUs, or other entities or organizations for the purposes of carrying
14 out its mission.

15 (2) **FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER,**
16 **THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION**
17 **OF \$500,000 FOR THE CENTER TO ENTER INTO CONTRACTS FOR THE PURPOSES OF**
18 **CARRYING OUT ITS MISSION, INCLUDING:**

19 (i) **FACILITATING THE GATHERING OF INFORMATION FROM**
20 **ALL COUNTIES IN THE STATE; AND**

21 (ii) **SUPPORTING LOCAL OR REGIONAL PLANNING WORKSHOPS.**

22 (h) The operation of the Center is subject to the limitations of the State budget.

23 **13-4207.**

24 (A) **IN THIS SECTION, "PROGRAM" MEANS THE BEHAVIORAL HEALTH**
25 **SCREENING GRANT PROGRAM.**

26 (B) (1) **THERE IS A BEHAVIORAL HEALTH SCREENING GRANT PROGRAM**
27 **IN THE DEPARTMENT.**

28 (2) **THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDS TO LOCAL**
29 **JURISDICTIONS TO ESTABLISH AND EXPAND BEHAVIORAL HEALTH SCREENING**
30 **PILOT PROGRAMS.**

1 **(C) THE DEPARTMENT, IN COORDINATION WITH THE MARYLAND**
2 **BEHAVIORAL HEALTH AND PUBLIC SAFETY CENTER OF EXCELLENCE, SHALL**
3 **ADMINISTER THE PROGRAM.**

4 **(D) THE DEPARTMENT SHALL PURSUE ADDITIONAL FUNDS TO PROVIDE**
5 **GRANTS UNDER THE PROGRAM FROM THE FEDERAL SUBSTANCE ABUSE AND**
6 **MENTAL HEALTH SERVICES ADMINISTRATION.**

7 **(E) (1) THE PROGRAM SHALL AWARD COMPETITIVE GRANTS TO**
8 **ENTITIES TO ESTABLISH AND EXPAND BEHAVIORAL HEALTH SCREENING PILOT**
9 **PROGRAMS AND SERVICES THAT:**

10 **(I) PROVIDE HEALTH SERVICES THAT QUICKLY ASSESS THE**
11 **SEVERITY OF SUBSTANCE USE DISORDERS;**

12 **(II) IDENTIFY APPROPRIATE LEVELS OF TREATMENT;**

13 **(III) INCREASE INSIGHT AND AWARENESS REGARDING**
14 **SUBSTANCE USE AND MOTIVATION TOWARD BEHAVIORAL CHANGE; AND**

15 **(IV) DIRECT THOSE IDENTIFIED AS NEEDING MORE EXTENSIVE**
16 **TREATMENT TOWARD SPECIALTY CARE.**

17 **(2) FOR EACH SERVICE OR PROGRAM THAT RECEIVES FUNDING**
18 **UNDER THE PROGRAM, THE ENTITY SHALL REPORT TO THE DEPARTMENT AND**
19 **MAKE AVAILABLE TO THE PUBLIC:**

20 **(I) ALL OUTCOME MEASUREMENT DATA REQUIRED BY THE**
21 **DEPARTMENT; AND**

22 **(II) ALL PUBLIC FEEDBACK RECEIVED FROM THE COMMUNITY**
23 **THROUGH A COMBINATION OF SURVEYS, PUBLIC COMMENTS, TOWN HALL**
24 **MEETINGS, AND OTHER METHODS.**

25 **(3) THE DEPARTMENT SHALL ESTABLISH:**

26 **(I) APPLICATION PROCEDURES;**

27 **(II) A STATEWIDE SYSTEM OF OUTCOME MEASUREMENT TO:**

28 **1. ASSESS THE EFFECTIVENESS AND ADEQUACY OF**
29 **BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES AND PROGRAMS; AND**

1 **2. PRODUCE DATA THAT IS:**

2 **A. COLLECTED, ANALYZED, AND PUBLICLY REPORTED**
3 **BACK AT LEAST ANNUALLY; AND**

4 **B. DISAGGREGATED BY RACE, GENDER, AGE, AND ZIP**
5 **CODE; AND**

6 **(III) ANY OTHER PROCEDURES, GUIDELINES, OR CRITERIA**
7 **NECESSARY TO CARRY OUT THIS SECTION.**

8 **(F) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2023, THE**
9 **DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §**
10 **2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A**
11 **REPORT THAT INCLUDES:**

12 **(1) THE NUMBER OF GRANTS DISTRIBUTED;**

13 **(2) FUNDS DISTRIBUTED BY COUNTY;**

14 **(3) INFORMATION ABOUT GRANT RECIPIENTS AND PROGRAMS AND**
15 **SERVICES PROVIDED; AND**

16 **(4) ANY AVAILABLE OUTCOME DATA.**

17 **(G) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE**
18 **ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 FOR THE PROGRAM.**

19 **Article – Public Safety**

20 1-301.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) “Board” means the Maryland 9-1-1 Board.

23 1-306.

24 (a) The Board shall coordinate the enhancement of county 9-1-1 systems.

25 (b) The Board’s responsibilities include:

26 (15) establishing training standards for public safety answering point
27 personnel based on national best practices, including:

1 (I) training concerning Next Generation 9–1–1 topics and individual
2 psychological well-being and resilience; AND

3 (II) TRAINING ON:

4 1. BEHAVIORAL HEALTH CONDITIONS;

5 2. CRISIS INTERVENTION; AND

6 3. THE DIVERSION OF INDIVIDUALS WITH BEHAVIORAL
7 HEALTH CONDITIONS AWAY FROM LAW ENFORCEMENT RESPONSE TO MORE
8 APPROPRIATE RESOURCES;

9 (e) (1) The standards established by the Board under subsection (b)(15) of this
10 section shall include onboarding standards for newly hired 9–1–1 specialists and minimum
11 continuing education standards for 9–1–1 specialists.

12 (2) (i) At least once each year, the Board shall provide for an audit of
13 each public safety answering point in order to ensure that 9–1–1 specialists and other
14 personnel employed by the public safety answering point have satisfied the training
15 requirements established in accordance with subsection (b)(15) of this section.

16 (ii) The audit described under subparagraph (i) of this paragraph
17 may be conducted concurrently with an inspection of the public safety answering point in
18 accordance with subsection (b)(10) of this section.

19 (H) (1) THE BOARD SHALL ESTABLISH A PROCESS BY WHICH A PUBLIC
20 SAFETY ANSWERING POINT MAY APPLY FOR A GRANT TO EXPAND PUBLIC SAFETY
21 ANSWERING POINT PERSONNEL TRAINING DESCRIBED IN SUBSECTION (B)(15)(II)
22 OF THIS SECTION.

23 (2) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE
24 ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 FOR THE BOARD TO
25 PROVIDE GRANTS TO LOCAL JURISDICTIONS TO EXPAND TRAINING DESCRIBED IN
26 SUBSECTION (B)(15)(II) OF THIS SECTION.

27 Article – State Government

28 SUBTITLE 35. GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM
29 SERVICES.

30 9–3501.

31 IN THIS SUBTITLE, “OFFICE” MEANS THE GOVERNOR’S OFFICE OF CRIME
32 PREVENTION, YOUTH, AND VICTIM SERVICES.

1 **9-3502.**

2 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE GOVERNOR
3 SHALL APPOINT THE EXECUTIVE DIRECTOR OF THE OFFICE WITH THE ADVICE AND
4 CONSENT OF THE SENATE.

5 (B) THE EXECUTIVE DIRECTOR OF THE OFFICE SHALL SERVE AT THE
6 PLEASURE OF THE GOVERNOR.

7 **9-3503.**

8 (A) THE OFFICE SHALL ENSURE THAT ALL REPORTS ISSUED BY THE OFFICE
9 RELATED TO GRANT PROGRAMS INCLUDE:

10 (1) A SUMMARY OF ALL COLLECTED PERFORMANCE MEASURE DATA;
11 AND

12 (2) INFORMATION NECESSARY TO PROVIDE TRANSPARENCY IN THE
13 RESULTS OF COMPETITIVE GRANT AWARDS.

14 (B) (1) THE OFFICE SHALL CREATE, FOR INCLUSION IN ITS ANNUAL
15 REPORT, A SCORECARD OF QUANTIFIABLE SAFETY INDICATORS.

16 (2) THE OFFICE SHALL DETERMINE APPROPRIATE INDICATORS FOR
17 THE SCORECARD IN COORDINATION WITH:

18 (I) THE DEPARTMENT OF STATE POLICE;

19 (II) THE DEPARTMENT OF PUBLIC SAFETY AND
20 CORRECTIONAL SERVICES;

21 (III) THE OFFICE OF THE ATTORNEY GENERAL;

22 (IV) THE MARYLAND DEPARTMENT OF LABOR;

23 (V) THE STATE DEPARTMENT OF EDUCATION;

24 (VI) THE MARYLAND DEPARTMENT OF HEALTH; AND

25 (VII) THE DEPARTMENT OF HUMAN SERVICES.

1 **(3) IN ADDITION TO THE INDICATORS DETERMINED UNDER**
2 **PARAGRAPH (2) OF THIS SUBSECTION, THE SCORECARD SHALL INCLUDE:**

3 **(I) CRIME STATISTICS FOR VIOLENT CRIME AND PROPERTY**
4 **CRIME AS REPORTED IN THE UNIFORM CRIME REPORTS OR THE NATIONAL**
5 **INCIDENT-BASED REPORTING SYSTEM, INCLUDING:**

- 6 1. **MURDER;**
- 7 2. **RAPE;**
- 8 3. **ROBBERY;**
- 9 4. **AGGRAVATED ASSAULT;**
- 10 5. **BREAKING OR ENTERING;**
- 11 6. **LARCENY OR THEFT; AND**
- 12 7. **MOTOR VEHICLE THEFT;**

13 **(II) CRIME CLEARANCE RATES FOR THE CRIMES INCLUDED**
14 **UNDER ITEM (I) OF THIS PARAGRAPH;**

15 **(III) THE PORTION OF COMMITTED CRIMES NOT REPORTED TO**
16 **LAW ENFORCEMENT AS ESTIMATED BASED ON THE NATIONAL CRIME**
17 **VICTIMIZATION SURVEY OR OTHER SOURCES;**

18 **(IV) INDICATORS OF SAFETY AND FAIRNESS IN THE CRIMINAL**
19 **JUSTICE SYSTEM IN THE STATE, INCLUDING:**

- 20 1. **THE NUMBER OF SERIOUS ASSAULTS ON STAFF AND**
21 **INMATES COMMITTED IN STATE CORRECTIONAL FACILITIES;**
- 22 2. **POLICE USE OF FORCE STATISTICS;**
- 23 3. **THE NUMBER OF LAW ENFORCEMENT PERSONNEL**
24 **KILLED IN THE LINE OF DUTY;**
- 25 4. **DISPARITY IN TRAFFIC STOPS, ARRESTS,**
26 **CONVICTIONS, AND SENTENCING BY RACE AND ETHNICITY;**

1 **5. AVAILABLE SURVEYS OF PUBLIC TRUST IN POLICING**
2 **AND THE CRIMINAL JUSTICE SYSTEM IN THE STATE; AND**

3 **6. RATES OF JUDICIAL COMPLIANCE WITH STATE**
4 **SENTENCING POLICIES BY RACE AND TYPE OF CASE; AND**

5 **(V) INDICATORS OF THE UNDERLYING FACTORS AND**
6 **CONDITIONS AFFECTING PROGRESS TOWARD A SAFER STATE, INCLUDING:**

7 **1. UNEMPLOYMENT RATES BY AGE, GENDER, RACE,**
8 **ETHNICITY, AND REGION;**

9 **2. SCHOOL DROPOUT RATES;**

10 **3. POPULATION DENSITY AND DEGREE OF**
11 **URBANIZATION;**

12 **4. PERCENTAGE OF RESIDENTS BELOW THE FEDERAL**
13 **POVERTY THRESHOLD;**

14 **5. MEDIAN HOUSEHOLD INCOME; AND**

15 **6. ACCESS TO MENTAL HEALTH, BEHAVIORAL HEALTH,**
16 **AND ADDICTION TREATMENT.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Executive Director of the
18 Governor's Office of Crime Prevention, Youth, and Victim Services who is serving on the
19 effective date of this Act may continue to serve until 2 years after the effective date of this
20 Act and may be reappointed after the expiration of the Executive Director's term.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2022.