



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Board of Social Work Examiners
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**2020 SESSION
POSITION PAPER**

BILL NO: SB 611
COMMITTEE: Senate Finance
POSITION: Support with Amendments (SWA)

TITLE: Health – Mental and Emotional Disorders – Consent (Mental Health Access Initiative)

BILL ANALYSIS: The purpose of this bill provides that all minors have the capacity as an adult to consent to consultation, diagnosis, and treatment of a mental and emotional disorder by a health care provider or clinic. A health care provider may decide to provide information to a parent, guardian, or custodian of a minor unless the health care provider believes the disclosure will lead to harm to the minor or deter the minor from seeking care.

POSITION AND RATIONALE: The Maryland Board of Social Work Examiners (“Board”) supports the bill with the attached Board-approved amendment.

The Board believes there are situations where the process of consent by the minor is very important. However, due to the concerns of determining who is too young to have the same capacity as an adult to provide their own consent, the Board feels it’s important that the current standard of a minor being defined as someone who is 16 years or older should remain.

The Board’s proposed amendment to SB 611 is listed at the end of this position paper on page two. The Board respectfully requests a favorable report on SB 611 with the attached amendment.

For more information, please contact the Board’s Executive Director, Dr. Stanley Weinstein, at 410-764-4722 or stanley.weinstein@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

Amendment

On page 2, line 1, strike the brackets:

(b) (1) A minor ~~[who is 16 years old or older]~~ has the same capacity as an adult to consent to consultation, diagnosis, and treatment of a mental or emotional disorder by a health care provider or a clinic.