



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Board of Professional Counselors and Therapists
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2021 SESSION
POSITION PAPER

BILL NO: Senate Bill 41 (SB 41)
COMMITTEE: Finance
POSITION: Support with Amendment

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

BILL ANALYSIS: This bill changes the minimum age for consent from 16 years to 12 years allowing 12-year olds to consent to consultation, diagnosis, and certain treatment of a mental or emotional disorder by a health care provider or clinic.

POSITION AND RATIONALE: The Maryland Board of Professional Counselors and Therapists (the “Board”) supports SB 41 Health- Mental and Emotional Disorders- Consent (Mental Health Access Initiative) with the following amendments:

Under §20-104, page 2:

Line 1, subsection (a)(2) strike “mental and emotional.” Add new language “behavioral health”
Line 5, subsection (b)(1) strike “mental or emotional”. Add new language “behavioral health”
Line 8, subsection (b)(2) strike “mental or emotional”. Add new language “behavioral health”
Line 15, subsection (b)(2)(ii) strike “mental or emotional”. Add new language “behavioral health”

Approximately 50% of clients who have a mental health disorder also have issues with substance use. Additionally, 60% of clients with substance use disorders have a co-occurring mental health disorder and these numbers are higher (showing greater number of clients with co-occurring mental health and substance use) in children and teens.

For this reason, the Maryland Board of Professional Counselors and Therapists respectfully requests a favorable report with amendment of SB 41. Thank you for your consideration. If you have questions about this matter you may contact Danielle Vallone, Acting Executive Director, at 410-764-4734 or Danielle.Vallone@maryland.gov.

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