

House Bill 1073 Health – Accessibility of Electronic Advance Care Planning Documents

Health and Government Operations Committee

February 24, 2022

Position: SUPPORT

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. We appreciate this opportunity to present testimony in support of House Bill 1073.

HB 1073 requires the Maryland Health Care Commission (MHCC) to coordinate accessibility of electronic advance care documents through the State’s designated health information exchange. It will also increase access to and awareness of advance directives in health care facilities, nursing homes, and assisted living facilities.

This bill provides a wonderful opportunity to expand access to all kinds of advance care planning documents, including mental health advance directives (MHAD). An MHAD, also known as a psychiatric advance directives (PAD), is a legal document that allows a person with a mental illness to state their wishes and preferences in advance of a mental health crisis. These documents provide for more patient-centered care and can help resolve crises more quickly, appropriately, and without coercion.¹ MHADs allow individuals to clarify treatment preferences and crisis planning and often include family members and social support networks.

The Mental Health Association of Maryland offers a number of resources and tools on its website to assist individuals in learning about and effectuating an MHAD. This includes FAQs, instructions, and a downloadable MHAD template that was developed in consultation with the Maryland Department of Health, providers, consumers, and advocacy groups.

HB 1073 provides a wonderful opportunity to increase patient-centered care coordination for Marylanders. But in doing so, we must be sure to address all health care needs, including mental health. Accordingly, MHAMD urges the passage of HB 1073, and, in carrying out its duties under the bill, we encourage MHCC to include MHADs in the implementation.

¹ <https://www.mhamd.org/information-and-help/adults/advance-directives/#:~:text=A%20Mental%20Health%20Advance%20Directive,of%20a%20mental%20health%20crisis.&text=MHAD's%20support%20person%2Dcentered%20care,assist%20in%20times%20of%20crises.>