HOUSE BILL 1564

J10lr1690 By: Delegates Bhandari and Pena-Melnyk Introduced and read first time: February 7, 2020 Assigned to: Health and Government Operations Committee Report: Favorable House action: Adopted Read second time: March 10, 2020 CHAPTER AN ACT concerning Public Health - Emergency Evaluations - Duties of Peace Officers and **Emergency Facilities** FOR the purpose of requiring a peace officer, to the extent practicable, to notify a certain emergency facility in advance that the peace officer is bringing an emergency evaluee to the emergency facility; altering the individuals who may request that a peace officer stay with a certain evaluee; defining a certain term; making conforming changes; and generally relating to emergency evaluations. BY repealing and reenacting, with amendments, Article – Health – General Section 10-620 and 10-624 Annotated Code of Maryland (2019 Replacement Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Health - General 10-620.In Part IV of this subtitle the following words have the meanings indicated. (a) "Court" means a district or circuit court of this State. (b)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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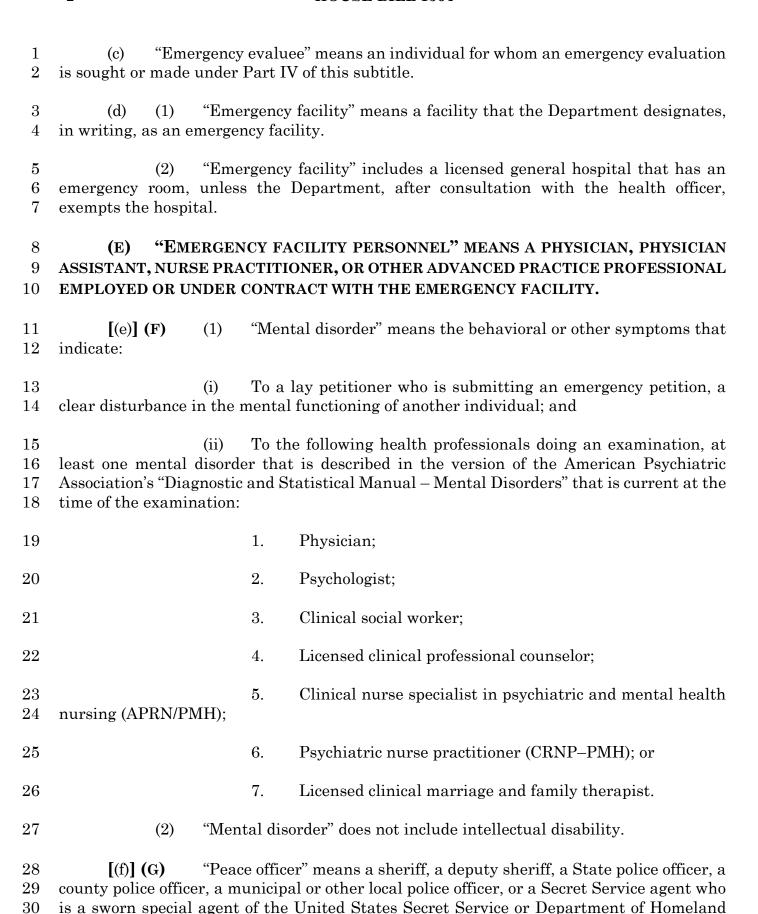
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

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Security authorized to exercise powers delegated under 18 U.S.C. § 3056.

1	10-624.									
2 3	(a) (1) A peace officer shall take an emergency evaluee to the nearest emergency facility if the peace officer has a petition under Part IV of this subtitle that:									
4	(i) Has been endorsed by a court within the last 5 days; or									
5 6 7 8	(ii) Is signed and submitted by a physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage and family therapist, health officer or designee of a health officer, or peace officer.									
9 10 11	(2) TO THE EXTENT PRACTICABLE, A PEACE OFFICER SHALL NOTIFY THE EMERGENCY FACILITY IN ADVANCE THAT THE PEACE OFFICER IS BRINGING AN EMERGENCY EVALUEE TO THE EMERGENCY FACILITY.									
12 13 14 15	(3) After a peace officer [takes] BRINGS the emergency evaluee to an emergency facility, the peace officer need not stay unless, because the emergency evaluee is violent, [a physician asks] EMERGENCY FACILITY PERSONNEL ASK the supervisor of the peace officer to have the peace officer stay.									
16 17 18	[(3)] (4) A peace officer shall stay until the supervisor responds to the request for assistance. If the emergency evaluee is violent, the supervisor shall allow the peace officer to stay.									
19 20 21	[(4)] (5) If [a physician asks] EMERGENCY FACILITY PERSONNEL ASK that a peace officer stay, a physician shall examine the emergency evaluee as promptly as possible.									
22 23	(b) (1) If the petition is executed properly, the emergency facility shall accept the emergency evaluee.									
24 25 26	(2) Within 6 hours after an emergency evaluee is brought to an emergency facility, a physician shall examine the emergency evaluee, to determine whether the emergency evaluee meets the requirements for involuntary admission.									
27 28	(3) Promptly after the examination, the emergency evaluee shall be released unless the emergency evaluee:									
29	(i) Asks for voluntary admission; or									
30	(ii) Meets the requirements for involuntary admission.									

 $\,$ (4) An emergency evaluee may not be kept at an emergency facility for 32 $\,$ more than 30 hours.

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SECTION October 1, 2020	N 2.	AND	BE	IT	FURTHER	ENACTED,	That	this	Act	shall	take	effect
Approved:												
									G	overn	or.	
						Speaker of	the H	ouse	of D	elegat	es.	
President of the Senate.												