

Mental Health - Treatment Plans for Individuals in Facilities – Requirements HB121

Background

Individuals with mental illness admitted to facilities in Maryland on an involuntary basis—both public and private—must have a written plan of treatment. Current law is not clear, however, about who can be involved in the development and review of those plans. The law is also not clear how and when those plans should be reviewed or whether information about and provision of alternative treatments, services, or providers should be included.

Solution

This bill empowers individuals receiving treatment and their selected representatives to be more involved in treatment decisions and ensures that treatment plans evolve to meet evolving needs of individuals receiving treatment.

This bill strengthens the ability of individuals receiving mental health treatment and their appointed representatives to be more involved in treatment decisions. It requires treatment plans to include the following:

- A discharge goal and estimated date,
- Reassessment of the individual's treatment plan once every 15 days for the two months after admission, and once every 60 days for the remainder of the individual's stay,
- Consultation with the admitted individual about the addition of family members and/or other people to be a part of the development, review, and reassessment of the admitted individual's treatment plan,
- Provisions for people approved by the admitted individual to intercede and ask for a reassessment of the individual's treatment plan. Requests and responses for reassessment must be in writing and included in the admitted patient's health record, and
- Specifically for State Facilities (Part H-J of the bill), the bill would:
 - Allow the admitted individual or legal representative to request a treatment plan reassessment,
 - Establish a process for the individual or legal representative to receive a hearing on the matter of the treatment plan with the Office of Administrative Hearings, and
 - Establish a process to appeal the Office of Administrative Hearings decision

For more information please contact:

Delegate Lorig Charkoudian, lorig.charkoudian@house.state.md.us

Phone: 410-841-3423