

## CHAPTER 299

(House Bill 883)

AN ACT concerning

### Correctional Services – Eligibility for Parole – Medical Parole

FOR the purpose of establishing medical parole as a form of release from incarceration for incapacitated inmates who, as a result of a medical or mental health condition, disease, or syndrome, pose no danger to public safety; establishing a means of initiating consideration by the Maryland Parole Commission of the appropriateness of granting medical parole; providing a means for the Commission to obtain information relevant to its consideration; requiring the Commission to consider certain information before granting a medical parole release; authorizing the Commission to impose certain conditions on a parolee in conjunction with any medical parole; providing for reincarceration of the parolee if the parolee's incapacitation ends; providing for the applicability to medical parole proceedings of provisions of law concerning victim notification and participation in parole proceedings; ~~eliminating~~ reaffirming a requirement that the Governor approve certain medical parole releases; requiring the Commission to adopt certain regulations; and generally relating to medical parole.

BY adding to

Article – Correctional Services  
Section 7-309  
Annotated Code of Maryland  
(1999 Volume and 2007 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### Article – Correctional Services

**7-309.**

(A) THIS SECTION APPLIES TO ANY INMATE WHO IS SENTENCED TO A TERM OF INCARCERATION FOR WHICH ALL SENTENCES BEING SERVED, INCLUDING ANY LIFE SENTENCE, ARE WITH THE POSSIBILITY OF PAROLE.

(B) AN INMATE WHO IS SO DEBILITATED OR INCAPACITATED BY A MEDICAL OR MENTAL HEALTH CONDITION, DISEASE, OR SYNDROME AS TO BE PHYSICALLY INCAPABLE OF PRESENTING A DANGER TO SOCIETY MAY BE