

“Lunatics and Insane”, sub-title “Department of Mental Hygiene”, correcting certain erroneous cross references in the laws concerning the discharge of patients from certain mental institutions.

WHEREAS, in Section 42 of Article 59 of the Code, there are cross references in the law relating to the discharge of patients from mental institutions; and

WHEREAS, these cross references are in error and should be corrected; and

WHEREAS, such a change has been approved by the Deputy Attorney General in the State Law Department; now, therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 42 of Article 59 of the Annotated Code of Maryland (1957 Edition), title “Lunatics and Insane”, sub-title “Department of Mental Hygiene”, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

42. Discharge of patients.

The superintendent or chief medical officer of every institution, hospital, asylum, home or retreat for the insane to which persons may be admitted in accordance with [Sections 18, 23 to 25, 26, 37 and 39 to 44,] Sections 1, 3, 31, 32, 37, 40, 43 and 46 shall discharge any patient, except one under criminal charge, upon being satisfied by personal examination and inquiry that said patient has recovered. He may also discharge any patient who appears quiet and harmless, and who is not likely to improve under further treatment, upon being satisfied that such patient's relatives or friends are able to give him proper care and supervision. He shall not discharge any patient now or hereafter detained in any institution, asylum, home or retreat whom he has reason to believe to be dangerous to himself or others, except upon the order of some court of competent jurisdiction. Nothing in this section shall prevent the relatives or friends of any patient maintained by them at private expense in any institution, hospital, asylum, home or retreat for the insane in this State, removing such patient at any time, but in the event of the removal of any patient so maintained who is believed by the superintendent or chief medical officer of any institution from which such removal is made, to be dangerous to himself or others, it shall be the duty of the superintendent or chief medical officer to give notice in writing to the relatives or friends making such removal that, in his belief, the said patient is dangerous, and his reason for such belief, and to cause a copy of said notice to be filed with the papers upon which said patient was committed.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1959.

Approved April 8, 1959.