

## CHAPTER 711

(House Bill 732)

AN ACT to add new Section 700E to Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title "Crimes and Punishments PUNISHMENTS," subtitle "Places of Reformation and Punishment," subheading, "Prisoners," to follow immediately after Section 700D thereof, to provide for methadone treatment for prisoners detained in any jail or any other place of criminal incarceration in the State of Maryland under certain conditions.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 700E be and it is hereby added to Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title "Crimes and Punishments," subtitle "Places of Reformation and Punishment," subheading "Prisoners," to follow immediately after Section 700D thereof and to read as follows:

*700E.*

*Any prisoner detained in any jail or any other place of criminal incarceration in the State of Maryland who has previously been determined by a physician to be a drug dependent person and placed on a methadone detoxification program prior to his detention or incarceration under sentence shall be continued on such a program under the supervision of a physician or psychiatrist for such period of time during the detention or incarceration under sentence as is deemed medically necessary and advisable by the physician or psychiatrist; and any prisoner detained in any place of incarceration under the jurisdiction of the Department of Correctional Services in the State of Maryland who, after his sentence begins, is determined by a physician or psychiatrist after a complete examination to be a drug dependent person and suffering from or in reasonable probability will suffer from narcotic drug withdrawal shall be placed on a methadone detoxification program if such treatment is prescribed by the examining physician or psychiatrist, except that whether such a treatment program was prescribed and instituted prior to detention or incarceration under sentence or is recommended and prescribed by a physician or psychiatrist subsequent to the incarceration under sentence, no such methadone detoxification treatment shall begin unless and until the prisoner to be treated has given his written, signed consent to the treatment.*

ANY PRISONER DETAINED IN ANY LOCAL OR STATE PENAL INSTITUTION WHO IS DETERMINED TO BE A DRUG ADDICT BY A PHYSICIAN SHALL BE PLACED ON A PROGRAM OF METHADONE DETOXIFICATION WITH PROPER SUPERVISION IF THE TREATMENT IS PRESCRIBED BY A PHYSICIAN. ANY TREATMENT PRESCRIBED SHALL NOT BEGIN UNTIL THE PRISONER TO BE TREATED HAS GIVEN WRITTEN CONSENT TO THE TREATMENT. ALL PROCEDURES AND STANDARDS RELATING TO THE DETERMINATION OF DRUG ADDICTION AND TREATMENT OF ADDICTED PRISONERS SHALL BE SUBJECT TO THE GUIDELINES AND REGULATIONS SET FORTH BY THE MARYLAND STATE DRUG ABUSE ADMINISTRATION. THE STATE OF MARYLAND SHALL PROVIDE FUNDING FOR THIS PROGRAM.