

Article 59 - Mental Hygiene
Section 18
Annotated Code of Maryland
(1972 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 59 - Mental Hygiene

18.

(a) At the direction of the Commissioner, his authorized representative, or the superintendent of any facility, any patient not detained pursuant to the provisions of §§ 23, 24 or 27 of this article, shall be released from any facility, if, in the judgment of such official: (1) The patient is not mentally disordered; or (2) the patient, if mentally disordered, is not in need of inpatient medical care or treatment for the protection of himself and others; and (3) the patient, if released, would not constitute a danger to himself or to the safety of the person or property of others; and (4) the patient, if released, would be able to care for himself properly; or (5) the patient, if released, would be cared for properly by other responsible persons who are able and willing to care for the patient. At the direction of the chief officer of a Veterans' Administration hospital, any patient meeting the requirements of this subsection, and subject to the conditions of this subsection, may be released from such hospital.

(b) At the direction of the Commissioner, his authorized representative, or the superintendent of any facility, (or in the case of a patient in a Veterans' Administration hospital, at the direction of the chief officer of that hospital), any patient not detained pursuant to the provisions of §§ 23, 24 or 27 of this article, may be released on a conditional basis, if in the judgment of such official:

(1) The patient, if released, would not constitute a danger to himself or to the safety of the person or property of others; and

(2) The patient, if released, would be able to care for himself properly; or

(3) The patient, if released, would be cared for properly by other responsible persons who are able and willing to care for the patient.

Conditional releases may be on any basis as to duration, treatment or care deemed reasonable by the official approving the release. For the purposes of § 12 (e), a patient released on a conditional basis shall be