

temporary removal of such prisoner for a definite period of time, or from time to time, to a place where adequate treatment for the illness of the prisoner may be obtained, with such guards and under such supervision and safeguards as may be necessary to prevent the escape of the prisoner from custody, and subject to such rules and regulations with regard to guards, supervision, and terms of temporary release as the Department may prescribe, provided that any such order shall direct the return of such prisoner to the jurisdiction of the Department as soon as the state of his health will permit. Such order of removal shall be the authority of the officer in charge of the penal institution to remove the prisoner in accordance with its terms, and the prisoner shall be regarded during the time of such removal as remaining in custody of the Department for the purposes of determining the time when the prisoner shall be released from the sentence, and in determining such time he shall be entitled to diminution of the period of his confinement as provided in [§§ 700(a) and 700(b)] § 700(B), (C), AND (D) of this article. If any prisoner temporarily removed in accordance with the provisions of this section escapes, he shall be deemed guilty of the crime of escape and subject to the penalties prescribed by § 139 of this article.

The expenses of the accommodation, maintenance, and medical care of the prisoner whose temporary removal has been authorized, in accordance with this section, shall be paid by the prisoner or his relatives or friends, or from any funds that are available for the hospital expense of prisoners, or, if not otherwise available, shall be a charge upon the county, city, or town from which such inmate was committed, and collectible by the officer in charge of such institution, in accordance with the procedure prescribed by Title 16 of the Health - General Article.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in Article 27, § 698.

Occurred: As a result of Ch. 354, Acts of 1991, which rewrote Article 27, § 700.

700D.

[(a)] Upon the recommendation of treatment staff, with the approval of the warden or superintendent of any State penal or reformatory institution under his jurisdiction, the Commissioner of Correction or the Deputy Commissioner of Correction may authorize special leave to an inmate either within or without this State to leave an institution for participation in special community or other meritorious programs or activities deemed beneficial to the inmate, and not detrimental to the public, by both the warden or superintendent and the Commissioner of Correction and which in their judgment would contribute to the rehabilitation process of the respective inmate. To be considered for this special leave the inmate shall be eligible solely upon the concurrence of the warden or superintendent and the Commissioner of Correction that positive attitudinal and growth patterns are being established. All special leaves must be issued in writing and must be signed by both the warden or superintendent and by the Commissioner of Correction or the Deputy Commissioner of Correction, and this authority may not be delegated. As a