

CHAPTER 8

(Senate Bill 94)

AN ACT concerning

Disease Prevention - Tuberculosis

FOR the purpose of allowing the Secretary of Health and Mental Hygiene to obtain a court order to have an individual being treated for tuberculosis to be placed in a less restrictive environment; allowing an individual imprisoned for violation of tuberculosis treatment to be released and treated in a less restrictive environment under certain circumstances; and generally relating to the treatment of tuberculosis.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 18-325(c)

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)

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

Article - Health - General

18-325.

(c) An individual who violates any provision of this section is guilty of a misdemeanor and on conviction shall be imprisoned in a penal institution with facilities for tuberculosis treatment until the Secretary or the Health Department of Baltimore City finds that the condition of the individual no longer endangers the health of the community [.] , OR THE SECRETARY OBTAINS A COURT ORDER THAT STATES THAT THE INDIVIDUAL:

(1) IS TO BE MOVED TO A SPECIFIED LESS RESTRICTIVE SETTING FOR CONTINUATION OF TREATMENT;

(2) MUST COMPLY WITH THE TREATMENT UNTIL THE SECRETARY DETERMINES THE TREATMENT HAS BEEN COMPLETED;

(3) MAY NOT BEHAVE IN A DISORDERLY MANNER OR LEAVE THE PLACEMENT UNTIL THE SECRETARY DETERMINES THAT THE INDIVIDUAL HAS COMPLETED THE TREATMENT; AND

(4) FOLLOWING A HEARING, WILL BE REIMPRISONED UNTIL THE SECRETARY DETERMINES THAT THE INDIVIDUAL HAS COMPLETED THE TREATMENT, IF THE INDIVIDUAL DOES NOT COMPLY WITH THE TERMS OF THE ORDER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.