

health services; authorizing the inclusion of certain provisions in a certain advance directive; requiring the Department of Health and Mental Hygiene to provide certain training and information; providing for a delayed effective date; and generally relating to advance directives for mental health services.

BY adding to

Article - Health - General

Section 5-602.1

Annotated Code of Maryland

(2000 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Health - General

Section 10-809(b)

Annotated Code of Maryland

(2000 Replacement Volume)

Preamble

WHEREAS, Some people with a mental disorder require ongoing mental health services, including treatment with psychotropic medications, in order to live safely in the community; and

WHEREAS, Some people who require ongoing mental health services experience periods when their symptoms worsen and they become incapable of making an informed decision about services and may discontinue needed services; and

WHEREAS, An advance directive for health care allows an individual, when capable of making an informed decision about health care, to specify services he or she would wish to receive if he or she became incapable of making such a decision in the future or to authorize an agent to make health care decisions on the individual's behalf in such a circumstance; and

WHEREAS, A legislative study that examined mechanisms for promoting consumer participation in mental health services recommended that efforts be made to afford individuals with a mental disorder an opportunity to execute an advance directive for mental health services; now, therefore,

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

Article - Health - General

5.602.1.

(A) IN THIS SECTION, "MENTAL HEALTH SERVICES" HAS THE MEANING STATED IN § 4-301(D)(1) OF THIS ARTICLE.