

Article - Courts and Judicial Proceedings

Section 3-8A-19(c) and (d)(1) and (2)

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)

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

Article 83C - Juvenile Justice

2-103.

(d) (7) THE DEPARTMENT SHALL:

(I) ADOPT A CODE OF CONDUCT FOR PERSONNEL OF THE DEPARTMENT; AND

(II) REQUIRE PRIVATE AGENCIES UNDER CONTRACT WITH THE DEPARTMENT TO ADOPT A CODE OF CONDUCT FOR PRIVATE AGENCY STAFF THAT IS IN SUBSTANTIAL COMPLIANCE WITH THE CODE OF CONDUCT FOR PERSONNEL OF THE DEPARTMENT.

2-118.

(a) Each facility provided for in § 2-117 of this article shall operate under the control and general management of the Department.

(b) Subject to the provisions of Title 3, Subtitles 8 and 8A of the Courts Article, the Department shall:

(1) Adopt regulations that set:

(i) Policies for admission, transfer, discharge, and aftercare supervision; and

(ii) Standards of care, including provisions to administer any early, periodic screening diagnosis and treatment program that the Department approves for establishment under Title 42, § 1396d(a)(4)(B) of the United States Code and to treat appropriately any condition that the screening reveals; and

(2) Order any needed changes in the policy, conduct, or management of a facility to provide adequate care for the children and adequate services to the courts.

(c) The Department shall adopt regulations applicable to residential facilities it operates that:

(1) Prohibit the use of locked door seclusion and restraints as punishment, and describe the circumstances under which locked door seclusion and restraints may be used; and

(2) Prohibit abuse of a child.