

Article 83C – Juvenile Services

Section 2–118

Annotated Code of Maryland

(1988 Replacement Volume and 1990 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–801, 3–810, 3–812, and 3–815
Annotated Code of Maryland
(1989 Replacement Volume and 1990 Supplement)

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

Article 83C – Juvenile Services

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, Subtitle 8 of the Courts Article, the Department shall:

(1) Adopt rules and 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 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.

[(c)] (D) The Department shall develop within each facility special programs that are designed to meet the particular needs of its population.

[(d)] (E) The Department shall develop and provide within each facility: