

~~WHEREAS, Persons with mental illnesses have the right to retain the fullest possible control over their own lives, their choice of treatment, and their privacy, bodily integrity, and personal security; and~~

~~WHEREAS, Involuntarily admitted and court committed individuals receiving psychiatric treatment in Maryland's hospitals need a mechanism for the resolution of issues governing the involuntary administration of medication which provides due process to them; and~~

~~WHEREAS, The State recognizes an interest in protecting its citizens from harm; and~~

~~WHEREAS, Consumers of mental health services should be involved in the decision-making process at the treatment level; and~~

~~WHEREAS, When appropriate, needed medication should be provided as rapidly as possible, to the extent consistent with the patient's rights; now, therefore,~~

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

**Article - Health - General**

[10-708.

(a) An individual in a facility may elect to refuse medication used for the treatment of a mental disorder except:

(1) When the medication is provided on the order of a physician in an emergency where the individual presents a danger to the life or safety of the individual or others; or

(2) In nonemergency situations, where the individual is hospitalized involuntarily or by order of a court and the medication is approved by a clinical review panel.

(b) (1) The clinical review panel consists of the following members appointed by the clinical director:

(i) The clinical director if the clinical director is a physician or a physician designated by the clinical director;

(ii) A psychiatrist; and

(iii) A nonphysician mental health care provider.

(2) If a member of the clinical review panel also is directly responsible for implementing the individualized treatment plan for the individual under review, the clinical director shall designate another panel member for that specific review.

(c) (1) In determining whether to approve the medication, the clinical review panel shall: