

Maryland State Report Card

Last Updated: June 2024

Method and scoring: State involuntary civil commitment laws are evaluated using a 100-point grading scale. The scoring criteria are in accordance with the Treatment Advocacy Center’s values and policy preferences. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the state’s assisted outpatient treatment (AOT) law. Final letter grades are computed using the following scale:

97 or above	A+	87–89	B+	77–79	C+	67–69	D+	59 or below	F
93–96	A	83–86	B	73–76	C	63–66	D		
90–92	A-	80–82	B-	70–72	C-	60–62	D-		

PART ONE: Inpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	Md. Code Ann., Health-General § 10-622(b)(iii)	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input checked="" type="checkbox"/> Authorizes any responsible adult (2 pts)	5
2. Quality of emergency petition process (5 pts)	Md. Code Ann., Health-General §§ 10-622(d), 10-623, 10-624, and 10-624 (a)(1)(i)	<input checked="" type="checkbox"/> Process specified and reasonable (2 pts) <input checked="" type="checkbox"/> Timelines specified and reasonable (2 pts) <input checked="" type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Requires certification by more than one professional (-2 pts) <input type="checkbox"/> Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts)	5
3. Emergency hold duration (5 pts)	Md. Code Ann., Health-General § 10-624(b)(3),(5)	<input type="checkbox"/> At least 48-hour hold allowed (3 pts) <input type="checkbox"/> At least 72-hour hold allowed (2 pts) <i>Emergency evaluation must be made within 6 hours; an emergency evaluatee may not be kept at an emergency facility for more than 30 hours.</i>	0
4. Citizen access to court, inpatient petition (5 pts)	Md. Code Ann., Health-General §§ 10-614(a), 10-615(6)	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input checked="" type="checkbox"/> Authorizes any responsible adult (2 pts) <i>Except [where the individual alleged to require involuntary admission is currently a state prison inmate], any person who has a legitimate interest in the welfare of the individual may apply for involuntary admission. The application must be accompanied by two physicians’ certificates as provided in § 10-615. The application is made to the state facility.</i>	5
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	Md. Code Ann., Health-General §§ 10-617(a)(3), 10-622(a)(2)	<input checked="" type="checkbox"/> Contains explicit criteria (10 pts) <input checked="" type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Harm must be imminent (-3 pts)	7
6. Quality of criteria for grave disability/basic needs (up to 10 pts)		<input type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts) <input type="checkbox"/> Endangerment must be imminent (-3 pts) <input type="checkbox"/> Criteria require family to turn person out of home to receive treatment (-3 pts) <input type="checkbox"/> Unreasonably high risk of harm (-3 pts)	0
7. Quality of criteria for psychiatric deterioration (10 pts)		<input type="checkbox"/> Contains explicit criteria (10 pts) <input type="checkbox"/> Language is vague/ambiguous (-3 pts)	0
SUBTOTAL			22
PART ONE: Extra Credit			
1. Specifies court for inpatient commitment shall be filed (1 pt)			0
Extra Credit			0
PART ONE TOTAL			22

PART TWO: Outpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)	Md. Code Ann., Health-General § 10-6A	<input type="checkbox"/> Requires local government to adopt (-3 pts) Comment: New law effective 7/1/24	5
2. Citizen access to court for AOT (5 pts)	Md. Code Ann., Health-General § 10-6A-04(A),(C)	<input checked="" type="checkbox"/> Authorizes family/enumerated adults (3 pts) <input checked="" type="checkbox"/> Authorizes any responsible adult (2 pts) <input type="checkbox"/> Authorizes citizen petition to mental health system only (-2 pts) Requires psychiatrist affidavit for petition.	5
3. Criteria sufficiently broad to provide actual access (up to 10 pts)	Md. Code Ann., Health-General § 10-6A-05	Evaluate applicable provision only: <input type="checkbox"/> If inpatient/outpatient criteria are the same: <input type="checkbox"/> Inpatient criteria include psychiatric deterioration standard (10 pts) <u>or</u> <input type="checkbox"/> No psychiatric deterioration standard, adequate grave disability standard (5 pts) or <input checked="" type="checkbox"/> If outpatient criteria are distinct from inpatient criteria: <input checked="" type="checkbox"/> Allows consideration of length of treatment history ≥ 36 months (2 pts) <input type="checkbox"/> Does not exclude periods of incarceration or hospitalization (-1 pt) <input checked="" type="checkbox"/> Does not limit application to those currently dangerous or unstable (4 pts) <input checked="" type="checkbox"/> Does not limit application to those refusing service or currently lacking insight (4 pts)	10
4. Authorizes AOT directly from community (5 pts)	Md. Code Ann., Health-General § 10-6A-05		5
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)	Md. Code Ann., Health-General §§ 10-6A-04 – 10-6A-11	<input checked="" type="checkbox"/> Process specified and reasonable (1 pt) <input type="checkbox"/> Timelines specified and reasonable (1 pt) <input checked="" type="checkbox"/> Responsible entities identified (1 pt) <input type="checkbox"/> Periodic reporting to court required (1 pt) <input type="checkbox"/> Renewal process expressly specified (1 pt)	2
6. Procedures require the treatment plan to be shared with the court (5 pts)	Md. Code Ann., Health-General § 10-6A-07(E)(1)		5
7. Specifies procedures and consequences for nonadherence (5 pts)			0
8. Duration of initial order	Md. Code Ann., Health-General § 10-6A-08(B)(1)	<input type="checkbox"/> = 90 days (2 pts) <u>or</u> <input checked="" type="checkbox"/> > 90 days (5 pts) Period not to exceed 1 year.	5
9. Duration of continued order		<input type="checkbox"/> = 180 days (2 pts) <u>or</u> <input type="checkbox"/> > 180 days (5 pts)	0
SUBTOTAL			0
PART TWO: Extra Credit			
1. Specifies court for AOT (1 pt)	Md. Code Ann., Health-General § 10-6A-04(D)(1)	Circuit Court for the county in which the respondent resides or in the county of the last known residence of the respondent.	1

2. Court monitoring of voluntary settlement agreements (5 pts)	Md. Code Ann., Health-General § 10-6A-06(3)(II)(2)	Comment: an order for treatment is not placed, but the stipulated agreement including the treatment plan is filed with the court.	5
Extra Credit			6
PART TWO TOTAL			43

FINAL SCORE			
PART ONE TOTAL			22
PART TWO TOTAL			43
TOTAL			65
GRADE			D