

Alcohol and Drug Abuse Administration Legislative Update

April 22, 2009

Bill Number	Title & Description	Position	Status
HB 70	<p>Department of Health and Mental Hygiene – Commissions, Programs, and Reports – Revisions</p> <p>This is a lengthy bill that repeals requirements for a number of commissions, programs and reports within DHMH. The portion of the bill specific to the Alcohol and Drug Abuse Administration (ADAA) repeals the annual reporting requirement regarding the Substance Abuse Treatment Outcomes Partnership Fund (STOP).</p>	Support	Passed
HB 368 CF SB 386	<p>Baltimore City Health Department – Overdose Prevention Pilot Program</p> <p>This legislation creates an overdose prevention program to reduce mortality from opioid overdose. Components of the program would include prevention and treatment education programs, education and training programs, instruction on referring individuals to drug counseling and treatment services and certification of individuals to administer an intranasal opioid antagonist when emergency medical services are not available.</p>	Support	Failed
HB 739 CF SB 952	<p>Maryland Medical Assistance Program – Substance Abuse Studies</p> <p>This legislation requires that individuals receiving Maryland Medical Assistance Program benefits receive specified substance abuse benefits; requiring managed care organizations to submit certain data to the Department of Health and Mental Hygiene at least semiannually; requiring the Department and certain managed care organizations to establish a certain process and certain criteria to qualify certified addiction treatment programs as paneled providers; authorizes the Governor in fiscal year 2010 to transfer by State budget amendment \$3,343,418 for a substance abuse benefit and to increase fees; requires the Governor to provide funding in fiscal year 2011 and each fiscal year thereafter to provide substance abuse benefits.</p>	Support	Passed
HB 791 CF SB 729	<p>Alcoholic Beverage Tax – Increase and Distribution of Funds</p> <p>The legislation increases the State tax rates for alcoholic beverages sold in Maryland from \$1.50 to \$6.00 per gallon for distilled spirits, from 40 cents to \$1.60 per gallon for wine, and from 9 cents to 36 cents per gallon for beer. It provides for the distribution of</p>	No Position	Failed

	the additional revenue to special funds to be used only for the purpose of providing additional funding for services. It establishes the Addiction Treatment and Prevention Fund as a special fund to be used to support programs for the treatment and prevention of drug and alcohol addictions.		
HB 967	Local Correctional Facilities – New Construction – Residential Programs for Substance Abuse Treatment This legislation requires any application for specified financial assistance related to the construction, enlargement, or maintenance of a local correctional facility to include a plan for a residential program for substance abuse treatment that meets specified criteria.	Support	Failed
HB 1096	Department of Health and Mental Hygiene – Substance Abuse Services This Legislation required the Department of Health and Mental Hygiene to establish a delivery system for substance abuse services; requiring the Alcohol and Drug Abuse Administration to design and monitor the delivery system and to provide for a certain reimbursement; requiring the Department to contract with an administrative services organization to provide certain services; requiring the Department to contract with a certain administrative services organization; requiring the workgroup to examine certain issues;	Letter of Information	Failed
HB 1160	Alcoholic Beverage Tax – Increase and Distribution of Funds This bill alters State tax rates for alcoholic beverages in Maryland; altering the distribution of the alcoholic beverage tax revenue; requiring the Comptroller to distribute certain portions of the alcoholic beverage tax revenue to certain special funds, to be used only for certain purposes; establishing a special fund to be administered by the Department of Human Resources and to be used only for the purpose of providing certain services for victims of domestic violence, sexual assault, and sexual or physical child abuse; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes.	Letter of Concern	Failed
HB 1180 CF SB 786	Alcoholic Beverages – Enhanced Beer This bill specifies that enhanced beer means alcoholic beverages with certain amounts of overall alcohol content obtained from flavors and other added non beverage ingredients containing alcohol; specifying that, for purposes of sales, enhanced beer is liquor that	Support	Failed

	may be sold at retail only by a certain license; specifying that enhanced beer is beer for purposes of the alcoholic beverages tax; altering certain definitions; defining a certain term; and generally relating to alcoholic beverages.		
HB 1273	<p>Criminal Law – Limited Immunity – Seeking Medical Assistance for Alcohol or Drug–Related Overdose</p> <p>This bill provides that a certain person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be charged with or prosecuted for a certain crime under certain circumstances; providing that a certain person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be detained on a certain warrant under certain circumstances; providing that a person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be required to provide personal identifying information except for a certain purpose of assisting in certain medical treatment; creating a certain exception; providing that a certain person experiencing an alcohol or a drug–related overdose may not be charged with or prosecuted for a certain crime under certain circumstances; providing that a certain person experiencing an alcohol or a drug–related overdose may not be detained on a certain warrant under certain circumstances; providing that the act of seeking medical assistance for a certain person may be used as a mitigating factor in a certain criminal prosecution; and generally relating to limited immunity for seeking medical assistance for an alcohol or a drug–related overdose.</p>	No Position	Passed
HB 1347	<p>Criminal Procedure – Drug or Alcohol Abuse – Court-Ordered Evaluation and Treatment of Defendant</p> <p>This legislation authorizes a circuit court or the District Court to extend probation for a defendant for a specified period of time for the purpose of a commitment to the Department of Health and Mental Hygiene for drug or alcohol abuse treatment, requires the Division of Parole and Probation to supervise the defendant's extended probation period, and alters the circumstances under which a court may order the Department to evaluate a defendant for drug treatment.</p>	Letter of Information	Passed
HB 1475	<p>Maryland Veterans Behavioral Health – Expansion</p> <p>This bill expands behavioral health coordination to certain additional veterans who served on active duty in the uniformed services of the United States; requiring the</p>	Support	Passed

	provision of certain behavioral health services under certain circumstances in certain additional areas of the State; and generally relating to the provision of behavioral health services for veterans in the State.		
SB 50	Advisory Board on Gambling Addiction This bill establishes an Advisory Board on Gambling Addiction in the Department of Health and Mental Hygiene. It provides for the membership, terms, quorum, and meetings of the Advisory Board. It specifies that the purpose of the Board is to propose solutions and advise the Department on prevalence studies concerning those who are addicted to gambling, to develop certain plans and studies, and to adopt certain regulations.	Opposed	Failed
SB 229	Public Health – Ephedrine, Pseudoephedrine, or Phenylpropanolamine Purchases – Statewide Electronic Logbook This bill requires the Alcohol and Drug Abuse Administration to assist in the regulation of the sale of ephedrine, pseudoephedrine, or phenylpropanolamine by establishing and maintaining a real-time statewide electronic logbook for the purpose of allowing pharmacies and retailers to enter into the logbook any transaction required to be reported by statute relating to the sale of ephedrine, pseudoephedrine, or phenylpropanolamine; requiring the Administration to adopt regulations requiring pharmacies and retailers to maintain electronic logs of certain ephedrine, pseudoephedrine, or phenylpropanolamine purchases, enter certain information about certain purchases into the statewide electronic logbook	Letter of Concern	Failed
SB 259 CF HB 301	Criminal Procedure – Drunk and Drugged Driving – Probation Before Judgment Extends the period of time preceding a subsequent violation by a defendant of certain alcohol- or drug-related driving offenses during which a previous conviction or probation of the defendant for certain alcohol- or drug-related driving offenses prohibits a court from staying entry of judgment, or striking an entry of judgment, and placing the defendant on probation for the subsequent violation; and generally relating to probation before judgment for certain alcohol- or drug-related driving offenses.	No Position	Passed
SB 260 CF BH 307	Vehicle Laws – Testing of Drivers Involved in Fatal or Life-Threatening Accidents This bill requires a police officer to request a driver involved in a motor vehicle accident that results in death or life-threatening injury to voluntarily submit to a certain test for	No Position	Failed

	<p>alcohol under certain circumstances; requiring a police officer who asks a person to voluntarily submit to a certain test to advise the person that there is no sanction or consequence for refusing to submit to the test or for any test result; providing that a person is not subject to any criminal or civil sanctions for refusing to voluntarily submit to a test under this Act; prohibiting a certain test result from being used to prompt or be considered in any criminal or civil proceeding or administrative action; prohibiting a certain test result from being considered in the provision of motor vehicle insurance coverage; providing that a certain test result may be used only for certain research and statistical purposes; requiring a certain test result that is reported on a police report to be coded or noted in a certain manner; prohibiting a police officer from requesting a driver to submit to certain tests or charging a driver with certain offenses under certain circumstances; and generally relating to testing of a driver involved in a motor vehicle accident that results in a death or a life-threatening injury under certain circumstances.</p>		
<p>SB 261 CF HB 299</p>	<p>Criminal Law – Alcoholic Beverages – Underage Individuals – Prohibitions and Penalties This bill prohibits an individual under a certain age from consuming, or exhibiting certain effects from consuming, alcoholic beverages; providing certain exceptions; making the furnishing of an alcoholic beverage to a certain individual a crime under certain circumstances; establishing certain penalties for certain violations of this Act; requiring the Motor Vehicle Administration to suspend for a certain period of time the driver’s license of a person who commits certain alcohol-related violations; authorizing the Motor Vehicle Administration to modify a certain suspension under certain circumstances; and generally relating to certain alcoholic beverage violations involving underage individuals under certain circumstances.</p>	<p>No Position</p>	<p>Passed</p>
<p>SB 262 CF HB 293</p>	<p>Vehicle Laws – Repeated Drunk and Drugged Driving Offenses – Suspension of License This bill requires the Motor Vehicle Administration to suspend for a certain period the driver’s license of a person who has been convicted of certain drunk and drugged driving offenses within a certain time period after the person was previously convicted of certain drunk and drugged driving offenses; and generally relating to penalties for drunk and</p>	<p>No Position</p>	<p>Passed</p>

	drugged driving.		
SB 263 CF HB 305	Vehicle Laws – Alcohol Restriction on Driver’s License – Penalties for Violations This bill establishes certain penalties for a violation of a driver’s license alcohol restriction imposed by the Motor Vehicle Administration; and generally relating to driver’s license alcohol restrictions.	No Position	Passed
SB 781	Alcohol and Drug Treatment - Commitment of Defendant - Crime of Violence The legislature prohibits a defendant who is sentenced for a conviction of a crime of violence from being committed by a court to alcohol or drug treatment unless the defendant is eligible for parole under a certain provision of law; and generally relating to the commitment of defendants to alcohol or drug treatment.	No Position	Passed
SB 393 CF HB 383	Managing for Results – Evidence–Based Practices This bill requires the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to submit to the Department of Budget and Management certain descriptions of the use of certain evidence–based practices for certain purposes; requiring that certain descriptions include certain items; and generally relating to the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, managing for results, and evidence–based practices.	No Position	Failed