

Introduced 3/5/18
Public Hearing 3/19/18
Council Action 4/2/18
Executive Action 4/5/18
Effective Date 7/1/18

County Council Of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 3

Bill No. 13 -2018

Introduced by: The Chairperson at the request of the County Executive

AN ACT relating to the provision of behavioral health services in the County; removing certain references to the Howard County Mental Health Authority; changing the name of the Alcohol and Drug Abuse Advisory Board to be the Local Behavioral Health Advisory Board; amending the duties of the Board of Health; amending the membership of certain boards and commissions; amending the membership of the Local Behavioral Health Advisory Board; amending the qualifications to be a member of the Local Behavioral Health Advisory Board; setting forth the duties and responsibilities of the Local Behavioral Health Advisory Board; making certain technical corrections; providing for the application of certain provisions related to changes to Other Post-Employment Benefits; providing for a certain effective date; and generally relating to the Local Behavioral Health Advisory Board.

Introduced and read first time March 5, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 19, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Bill was read the third time on April 2, 2018 and Passed , Passed with amendments ✓, Failed .

By order Jessica Feldmark
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5th day of April, 2018 at 9 a.m./p.m.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Approved / Vetoed by the County Executive Apr. 15, 2018

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the*
2 *Howard County Code is amended as follows:*

3 *By amending:*

4 *Title 1- Human Resources*

5 *Subtitle 4B. Howard County Other Post-Employment Benefit Trust*

6 *Section 1.404B "Definitions"*

7

8 *Section 1.405B "Purpose and scope of trust"*

9 *Subsection (b)*

10

11 *Title 2 – Administrative Procedure*

12 *Subtitle 1. Administrative Procedure Act*

13 *Sections 2.103 "Applicability" and 2.109 "Applicability"*

14 *Subsection (b)*

15

16 *Section 2.109 "Applicability"*

17 *Subsection (b)*

18

19 *Title 6 – County Executive and Executive Branch*

20 *Subtitle 3. Boards and Commissions*

21 *Section 6.335 "Alcohol and Drug Abuse Advisory Board"*

22

23 *Title 12 – Health and Social Services*

24

25 *Subtitle 1. Health Code*

26 *Section 12.101 "Board of Health"*

27

28 *Subtitle 3. Local Children's Board*

29 *Section 12.301 "Membership of Local Children's Board; appointment"*

30 *Subsection (c)*

31

1 *Subtitle 10. Alcohol and Drug Abuse*

2 *Section 12.1000 "Alcohol and Drug Abuse Advisory Board"*

3
4 *Subtitle 17. Board to Promote Self Sufficiency*

5 *Section 12.1701 "Membership"*

6 *Subsection (d)*

7
8 *Title 22 – General Provisions*

9 *Subtitle 2. Howard County Public Ethics Law*

10 *Section 22.206 "Financial disclosure statements"*

11 *Subsection (c)*

12
13 *Title 23 – Risk Management*

14 *Subtitle 1. Comprehensive Risk Management Program*

15 *Section 23.102 "Cooperation with other governmental agencies"*

16 *Subsection (a)*

17
18 *By repealing:*

19 *Title 12 – Health and Social Services*

20 *Subtitle 11. Mental Health Authority.*

21
22 **Title 1. Human Resources.**

23 **Subtitle 4. Retirement Plans.**

24
25 **Section 1.404B. Definitions.**

26 The following terms, as used herein, unless a different meaning is clearly implied by the context,
27 shall have the following meanings:

28 (a) *Board* means the Board of Trustees created pursuant to section 1.408B of the OPEB trust.

29 (b) *County* means Howard County, Maryland.

1 (c) *Dependent* means any person who is either described in Section 152(a) of the Internal
2 Revenue Code of 1986, as may be amended from time to time, or is defined as a dependent in a
3 program sponsored by an employer.

4 (d) *Employee* means an individual who performs services for an employer, and who has been
5 designated as eligible to participate in and receive benefits under an other post-employment
6 benefits program.

7 (e) *Employer* means the County or any other unit of government, including the Howard County
8 Board of Education, the Howard Community College, the Howard County Board of Library
9 Trustees, the Howard County Economic Development Authority, the Howard County Housing
10 Commission, OR the Howard Soil Conservation District[, or the Howard County Mental Health
11 Authority]].

12 (f) *Trust fund* shall mean the trust estate of the OPEB trust which shall include:

- 13 (1) All monies received by the Board as employer contributions;
- 14 (2) All interest and income from investments; and
- 15 (3) Any other property received and held by the Board for the uses and purposes set forth
16 in the OPEB trust.

17 (g) *OPEB trust* means the Howard County other post-employment benefits trust established by
18 this subtitle, as may be amended from time to time;

19 (h) *Other Post-Employment Benefits* means non-pension benefits paid on behalf of a former
20 employee or a former employee's dependent after the employee's retirement from service under a
21 program.

22 (i) *Participant* means an employee of an employer who satisfies the requirements for
23 participation in an other post-employment benefits program sponsored by an employer.

24 (j) *Program* shall mean any schedule of benefits sponsored or maintained by an employer to
25 provide other post-employment benefits.

26

27 **Section 1.405B. Purpose and scope of trust.**

28 (b) *Scope.* The County provides other post-employment benefits for retirees of the County, and
29 has provided funding for other post-employment benefits for retirees of the Howard County
30 Board of Education, the Howard Community College, the Howard County Board of Library
31 Trustees, the Howard County Economic Development Authority, the Howard County Housing

1 Commission, AND the Howard Soil Conservation District, [[and the Howard County Mental
2 Health Authority]]. The OPEB trust may include participating employers as provided in section
3 1.411B of this subtitle.

4
5 **Title 2. Administrative Procedure.**

6 **Subtitle 1. Administrative Procedure Act.**

7 **Article II. Administrative Rules.**

8
9 **Section 2.103. Applicability.**

10 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship
11 Review Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of
12 Library Trustees, the Board of License Commissioners, the Board of Social Services, the Cable
13 Advisory Committee, the Commission on Aging, the Design Advisory Panel, the Fire and
14 Rescue Services Board, the Historic Landmarks and Sites Board, [[the Mental Health Advisory
15 Board]] the Plumbing Advisory Board, the Public Works Board, the Recreation and Parks Board,
16 the LOCAL BEHAVIORAL HEALTH ADVISORY BOARD [[Alcohol and Drug Abuse Advisory
17 Board]], the Commission on Disability Issues, the Local Children's Board, and the Soil
18 Conservation District.

19
20 **Article III. Contested Cases.**

21
22 **Section 2.109. Applicability.**

23 (b) *This article does not apply to the following Agencies:* The Adult Public Guardianship
24 Review Board, the Advisory Board on Consumer Protection, the Board of Appeals, the Board of
25 Library Trustees, the Board of License Commissioners, the Board of Social Services, the Cable
26 Advisory Committee, the Commission on Aging, the Fire and Rescue Services Board, the
27 Historic Landmarks and Sites Board, [[the Mental Health Advisory Board]], the Plumbing
28 Advisory Board, the Public Works Board, the Recreation and Parks Board, the [[Alcohol and
29 Drug Abuse Advisory Board]] LOCAL BEHAVIORAL HEALTH ADVISORY BOARD, the Commission
30 on Disability Issues, the Local Children's Board, and the Soil Conservation District.

1 **Title 6. County Executive and the Executive Branch.**

2 **Subtitle 3. Boards and Commissions**

3
4 **Section 6.335. [[Alcohol and Drug Abuse Advisory Board]] LOCAL BEHAVIORAL HEALTH**
5 **ADVISORY BOARD.**

6 There is [[an Alcohol and Drug Abuse Advisory Board]] A LOCAL BEHAVIORAL HEALTH
7 ADVISORY BOARD. Its membership and duties and responsibilities are set forth in subtitle 10,
8 "[[Alcohol and Drug Abuse]] BEHAVIORAL HEALTH," of title 12, "Health and Social Services,"
9 of the Howard County Code.

10
11 **Title 12. Health and Social Services.**

12 **Subtitle 1. Health Code.**

13
14 **Section 12.101. Board of Health.**

15 (a) *General Provisions.* General provisions applicable to this Board are set forth in subtitle 3,
16 "Boards and Commissions," of title 6, "County Executive and the Executive Branch," of the
17 Howard County Code.

18 (b) *Members.* There is a Board of Health of Howard County consisting of [[nine]] ELEVEN
19 members.

20 (c) *Qualifications:*

21 (1) All members shall be residents of Howard County.

22 (2) One member shall HAVE EXPERIENCE [[be a professional]] in the area of environmental
23 health.

24 (3) Three members shall be health professionals, and one of the health professionals may be
25 a veterinarian.

26 (4) [[Five]] SEVEN members shall represent the general public and shall meet one of the
27 following qualifications, provided that not more than three shall meet the same
28 qualification:

29 (i) At least two MEMBERS shall not have professional or administrative training in the
30 health occupations.

1 (ii) At least two MEMBERS may have had professional or administrative training in the
2 health occupations but shall not currently work as health professionals or have
3 worked as health professionals in the five years prior to their appointment.

4 (III) AT LEAST ONE MEMBER SHALL HAVE PROFESSIONAL EXPERIENCE IN MENTAL HEALTH
5 AND AT LEAST ONE MEMBER SHALL HAVE PROFESSIONAL EXPERIENCE IN SUBSTANCE
6 USE DISORDERS.

7 (d) *Executive Secretary.* The Health Officer or the Health Officer's designee shall serve as
8 Executive Secretary to the Board and shall attend all meetings.

9 (e) *Meetings.* The Board shall meet once a month except for the months of [[July and August]]
10 JULY, AUGUST, AND DECEMBER, in which meetings are optional, and at any other time the Board
11 considers necessary.

12 (f) *Powers and Duties.* The Board of Health shall:

13 (1) Have the powers and duties of a local Board of Health as provided in title 3 of the
14 Health-General Article of the Annotated Code of Maryland.

15 (2) Assist and cooperate with the Secretary of THE MARYLAND DEPARTMENT OF Health
16 [[and Mental Hygiene]] of the State of Maryland in health-related [[matters]] MATTERS,
17 INCLUDING BEHAVIORAL HEALTH.

18 (3) Have general responsibility for the health and sanitary interests of the people of the
19 County.

20 (4) Investigate and study the causes of disease, epidemics and nuisances affecting public
21 health, BEHAVIORAL HEALTH, the prevention of contagious [[diseases]] DISEASES, and
22 the preservation of health.

23 (5) Advise the County Executive and County Council on health matters INCLUDING
24 BEHAVIORAL HEALTH.

25 (6) Have the power to administer oaths, issue subpoenas and apply for injunctive relief.

26 (7) Act as the appeals board for decisions of the Health Officer regarding enforcement of
27 this Code, except as otherwise provided in this subtitle. In making its determination, the
28 Board of Health shall consider only:

29 (i) Whether an actual or potential health hazard exists; or

30 (ii) Whether a condition exists which interferes with the proper use or enjoyment of
31 property; or

- 1 (iii) Whether the Health Officer has acted in accordance with law and regulation.
2 (8) At the directive of the County Executive or by resolution of the County Council, the
3 Board of Health shall review and make recommendations on any matter related to
4 public health.
5

6 **Title 12. Health and Social Services.**

7 **Subtitle 3. Local Children's Board.**
8

9 **Section 12.301. Membership of Local Children's Board; appointment.**

10 (c) *Qualifications of Members of the Local Children's Board:*

11 (1) Members of the Local Children's Board shall either reside or work in Howard County and
12 shall demonstrate an interest in children's services. As far as is practicable, the Local
13 Children's Board shall reflect the gender, geographic, ethnic and racial [[make up]]
14 MAKEUP of the County.

15 (2) The membership of the Local Children's Board shall reflect, as closely as is reasonable and
16 practical, the profile contained in this paragraph.

17 (i) The Board shall contain at least four consumer or family members, including:

- 18 a. A former consumer of child services;
19 b. A parent, family member, or guardian of a consumer of child services; and
20 c. An adolescent currently enrolled in the Howard County Public School System.

21 (ii) The members of the Board from the private sector shall include:

- 22 a. An individual representing private nonprofit child serving agencies;
23 b. An individual with business experience;
24 c. A child advocate;
25 d. An academician;
26 e. An individual representing a private nonprofit agency serving individuals with
27 disabilities; and
28 f. An individual from a philanthropic organization.

29 (iii) Members of the Board from the private sector may include:

- 30 a. Individuals with business experience;
31 b. Individuals with legal experience;

- c. Individuals with financial experience;
- d. Individuals representing the religious community;
- e. A health care professional;
- f. A mental health professional;
- g. A child care professional;
- h. Individuals representing private for-profit child serving agencies; and
- i. A pediatrician.

(iv) The following individuals from the public sector shall be invited to serve on the Board:

- a. The Director of the local Department of Social Services;
- b. The Superintendent of Public Schools or an assistant superintendent;
- c. The Supervisor of the Local Office of Juvenile Justice;
- d. The Health Officer of Howard County;
- e. The Chief of Police of Howard County;
- f. The State's Attorney for Howard County;
- g. The Director of Recreation and Parks; AND
- h. The Director of the Department of Community Resources and Services[[]; and
- i. The Executive Director of the Howard County Mental Health Authority[[]].

(v) The following individuals from the public sector may be invited to serve on the Board:

- a. A judge from the District Court of Howard County or designee;
- b. A judge from the Circuit Court of Howard County or designee;
- c. The regional manager of the local child care administration or designee;
- d. A member of the Howard County Housing Authority or designee;
- e. An individual with responsibilities for coordination of transportation; and
- f. The Director of the Howard County Library.

Title 12. Health and Social Services.

Subtitle 10. [[Alcohol and Drug Abuse]] BEHAVIORAL HEALTH.

**Section 12.1000. [[Alcohol and Drug Abuse Advisory Board]] LOCAL BEHAVIORAL HEALTH
ADVISORY BOARD.**

- 1 (a) *General Provisions.* General provisions applicable to ~~[[this]]~~ THE LOCAL BEHAVIORAL
2 HEALTH ADVISORY Board are set forth in subtitle 3, "Boards and Commissions," of title 6,
3 "County Executive and the Executive Branch," of the Howard County Code:
- 4 (b) *Number of Members.* The ~~[[Alcohol and Drug Abuse Advisory]]~~ Board shall have ~~[[14]]~~16
5 18 appointed members and ~~[[12]]~~8 10 ex officio members.
- 6 (c) *Ex Officio Members.* The ex officio members shall be:
- 7 (1) The Chief of Police or the Chief's designee;
- 8 (2) The Superintendent of the Public School System or the Superintendent's designee;
- 9 (3) THE ADMINISTRATOR OF THE OFFICE ON AGING AND INDEPENDENCE, DEPARTMENT OF
10 COMMUNITY RESOURCES AND SERVICES;
- 11 ~~[[3) The Health Officer or the Health Officer's designee;]]~~
- 12 (4) The Administrative Judge of the Circuit Court (5th Judicial District) or the judge's
13 designee, who shall be a judge from the district or circuit courts in Howard County;
- 14 (5) The Director of the Department of Corrections or the Director's designee;
- 15 ~~[[6) A member of the County Council or the Council's designee;]]~~
- 16 ~~[[7]]6) The State's Attorney or the State's Attorney's designee;~~
- 17 ~~[[8) The President of the Howard County Student Government Association or the
18 President's designee;]]~~
- 19 ~~[[9]]7) The Director of the Local Department of Social Services or the Director's designee;~~
20 ~~AND~~
- 21 ~~[[10) The Regional Director of the Department of Juvenile Services or the Director's
22 designee;~~
- 23 (11) The Regional Director of the Division of Parole and Probation of the Director's
24 designee; and]]
- 25 ~~[[12]]8) The District Public Defender for the 5th Judicial District or the District Public
26 Defender's designee.;~~
- 27 (9) THE REGIONAL DIRECTOR OF THE DEPARTMENT OF JUVENILE SERVICES, OR THE
28 DIRECTOR'S DESIGNEE; AND
- 29 (10) THE REGIONAL DIRECTOR OF THE DIVISION OF PAROLE AND PROBATION, OR THE
30 DIRECTOR'S DESIGNEE.
- 31 (d) *Qualifications of the Appointed Members:*

- 1 [[(1) Three members shall represent providers of substance abuse education, treatment or
2 prevention;
3 (2) Seven members shall represent the general public and shall not be providers of substance
4 abuse education, treatment, or prevention services to Howard County residents;
5 (3) One member shall be a representative of a college or university in the County;
6 (4) One member shall be a student of a college or university in the County;
7 (5) One member shall represent an advocacy group which addresses issues relating to alcohol
8 and/or drug abuse; and
9 (6) One member shall be a recipient of addictions treatment services.]]
- 10 (1) ~~SIX SEVEN~~ MEMBERS SHALL BE FAMILY MEMBERS OF AN INDIVIDUAL WHO HAS
11 EXPERIENCED A BEHAVIORAL HEALTH CONDITION OF WHICH:
- 12 A. THREE MEMBERS SHALL BE THE FAMILY MEMBERS OF AN INDIVIDUAL WITH A MENTAL
13 HEALTH CONDITION; ~~AND~~
14 B. THREE MEMBERS SHALL BE THE FAMILY MEMBERS OF AN INDIVIDUAL WITH A
15 SUBSTANCE USE DISORDER;; AND
16 C. ONE MEMBER SHALL BE THE FAMILY MEMBER OF AN INDIVIDUAL WITH EITHER A
17 MENTAL HEALTH CONDITION OR A SUBSTANCE USE DISORDER;
- 18 (2) ~~SIX SEVEN~~ MEMBERS SHALL BE CONSUMERS OF BEHAVIORAL HEALTH TREATMENT
19 SERVICES OF WHICH:
- 20 A. THREE MEMBERS SHALL BE THE CONSUMERS OF MENTAL HEALTH TREATMENT
21 SERVICES; ~~AND~~
22 B. THREE MEMBERS SHALL BE THE CONSUMERS OF SUBSTANCE USE DISORDER TREATMENT
23 SERVICES;; AND
24 C. ONE MEMBER SHALL BE THE CONSUMER OF EITHER MENTAL HEALTH TREATMENT
25 SERVICES OR SUBSTANCE USE DISORDER TREATMENT SERVICES;
- 26 (3) TWO MEMBERS SHALL BE ADVOCATES OR BEHAVIORAL HEALTH PROFESSIONALS THAT
27 PROVIDE EDUCATION, TREATMENT, OR PREVENTION OF WHICH:
- 28 A. ONE MEMBER SHALL BE A MENTAL HEALTH PROFESSIONAL; AND
29 B. ONE MEMBER SHALL BE A SUBSTANCE USE DISORDER PROFESSIONAL; AND

1 (4) TWO MEMBERS SHALL BE MEMBERS OF THE GENERAL PUBLIC OF WHICH ONE SHALL HAVE
2 INTEREST IN MENTAL HEALTH AND ONE SHALL HAVE INTEREST IN SUBSTANCE USE
3 DISORDERS.

4 (e) *Staff Support.* The Health Department shall provide staff support to the Board.

5 (f) *Meetings.* The [[Alcohol and Drug Abuse Advisory]] Board shall meet at least nine times
6 per year. Special meetings may be held at any time, at the call of the chair or upon written
7 request of at least six members.

8 (g) *Quorum.* A quorum shall consist of [[six]] ~~THIRTEEN~~ 15 members.

9 [[(h) *Duties and Responsibilities.* The Alcohol and Drug Abuse Advisory Board shall carry out
10 all duties and responsibilities assigned to it by law. The Alcohol and Drug Abuse Advisory
11 Board shall:

12 (1) Periodically review available services and facilities for prevention and/or treatment of
13 alcohol or drug abuse to determine how these services and facilities are meeting the needs
14 of Howard County residents;

15 (2) Review the County Health Department's annual substance abuse plan;

16 (3) Make recommendations to the Health Officer and to the County Executive and the
17 County Council concerning the need for services and facilities for substance abuse
18 prevention, education and treatment;

19 (4) Act as a County advocate for alcohol and drug abuse programs;

20 (5) Submit an annual report to the County Executive and the County Council on the needs for
21 alcohol and drug abuse prevention and treatment and the resources available in the
22 community; and

23 (6) At the direction of the County Executive or by resolution of the County Council, review
24 and make recommendations on any matter related to alcohol or drug abuse.]]

25 (H) *DUTIES AND RESPONSIBILITIES.* THE LOCAL BEHAVIORAL HEALTH ADVISORY BOARD'S
26 MISSION IS TO ADVISE THE COUNTY HEALTH OFFICER AND THE COUNTY EXECUTIVE IN THEIR
27 RESPONSIBILITY TO PLAN, MANAGE, AND MONITOR BEHAVIORAL HEALTH PROGRAMS AND SERVICES
28 FOR HOWARD COUNTY RESIDENTS. THE BOARD SHALL:

29 (1) SERVE AS ADVOCATES FOR CLIENTS/CONSUMERS/FAMILY MEMBERS IN NEED OF SHORT AND
30 LONG-TERM CARE IN THE LOCAL BEHAVIORAL HEALTH COMMUNITY;

1 (2) COORDINATE WITH AND SUPPORT THE EFFORTS OF INDIVIDUALS AND COMMUNITY
2 ORGANIZATIONS ON BEHAVIORAL HEALTH;

3 (3) MAKE RECOMMENDATIONS AS NEEDED TO THE COUNTY HEALTH OFFICER AND COUNTY
4 EXECUTIVE CONCERNING BEHAVIORAL HEALTH TOPICS, INCLUDING:

5 (I) BEST-IN-CLASS SERVICES AND FACILITIES;

6 (II) EDUCATION AND TREATMENT;

7 (III) STRENGTHS AND WEAKNESSES OF EXISTING AND NEW OPPORTUNITIES TO PROVIDE
8 HOWARD COUNTY RESIDENTS WITH BEHAVIORAL HEALTH RELATED RESOURCES
9 AND SERVICES;

10 (4) PROACTIVELY OR AT THE DIRECTION OF THE COUNTY EXECUTIVE OR BY RESOLUTION OF
11 THE COUNTY COUNCIL, REVIEW AND MAKE RECOMMENDATIONS ON ANY MATTER RELATED
12 TO LOCAL BEHAVIORAL HEALTH NEEDS;

13 (5) PREPARE AN ANNUAL REPORT SUBMITTED TO THE COUNTY HEALTH OFFICER, COUNTY
14 EXECUTIVE, AND THE COUNTY COUNCIL ON THE LOCAL BEHAVIORAL NEEDS AND
15 RESOURCES AVAILABLE IN THE COMMUNITY; AND

16 (6) CARRY OUT ANY OTHER DUTY OR RESPONSIBILITY ASSIGNED BY LAW.

17 (i) DESIGNATION UNDER STATE LAW. THE LOCAL BEHAVIORAL HEALTH ADVISORY BOARD SHALL
18 SERVE AS HOWARD COUNTY'S LOCAL DRUG AND ALCOHOL ABUSE COUNCIL, AS PROVIDED BY
19 SECTION 8-1001 OF THE HEALTH GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

20
21 **Title 12. Health and Social Services.**

22 **Subtitle 17. Board to Promote Self Sufficiency.**

23
24 **Section 12.1701. Membership.**

25 (d) *Qualifications of Members:*

26 (1) All members shall either reside or work in Howard County.

27 (2) As practicable, the Board shall reflect the gender, geographic, ethnic, and racial [[make
28 up]] MAKEUP of the County.

29 (3) Ex-officio members from the public sector shall include the following:

30 (i) The Director of the Department of Social Services, or the Director's designee;

- 1 (ii) The Director of the Department of Community Resources and Services, or the
2 Director's designee;
- 3 ~~[(iii) The Director of the Mental Health Authority, or the Director's designee;]~~
- 4 ~~[[iv]]III) The Director of the Howard County Health Department, or the Director's~~
5 designee;
- 6 ~~[[v]]IV) The Director of the Department of Housing and Community Development or the~~
7 Director's designee;
- 8 ~~[[vi]]V) The Director of the Department of Corrections, or the Director's designee;~~
- 9 ~~[[vii]]VI) The Administrator of the Office of Workforce Development, or the~~
10 Administrator's designee;
- 11 ~~[[viii]]VII)The President of Howard Community College, or the President's designee;~~
- 12 ~~[[ix]]VIII) The Superintendent of the Howard County Public School System, or the~~
13 Superintendent's designee; and
- 14 ~~[[x]]IX) The Chairperson of the Howard County Housing Commission or the~~
15 Chairperson's Designee.

16
17 **Title 22. General Provisions.**

18 **Subtitle 2. Howard County Public Ethics Law.**

19
20 **Section 22.206. Financial disclosure statements.**

21 (c) This section applies to members of the following boards and commissions:

- 22 (1) Board of Appeals;
- 23 (2) Planning Board;
- 24 (3) Recreation and Parks Board;
- 25 (4) Public Works Board;
- 26 (5) Ethics Commission;
- 27 (6) Housing and Community Development Board;
- 28 (7) Agricultural Land Preservation Advisory Board;
- 29 (8) Equal Business Opportunity Commission;
- 30 (9) Historic Preservation Commission;
- 31 (10) Board of Library Trustees;

- 1 (11) Howard County Housing Commission;
- 2 (12) Economic Development Authority Board;
- 3 (13) Howard County Pension Oversight Commission;
- 4 (14) [[Howard County Mental Health Authority Board]]LOCAL BEHAVIORAL HEALTH
- 5 ADVISORY BOARD;
- 6 (15) Howard County Alcoholic Beverage Hearing Board;
- 7 (16) Howard County Revenue Authority Board;
- 8 (17) Design Advisory Panel;
- 9 (18) Animal Matters Hearing Board;
- 10 (19) Advisory Board on Consumer Protection;
- 11 (20) Board of Electrical Examiners;
- 12 (21) Board of Health; and
- 13 (22) Human Rights Commission.

14
15 **Title 23. Risk Management.**

16 **Subtitle 1. Comprehensive Risk Management Program.**

17
18 **Section 23.102. Cooperation with other governmental agencies.**

19 (a) *Agreements for Pooled Comprehensive Risk Management:*

20 (1) *Governmental agency* means:

- 21 (i) A public or quasi-public agency in Howard County created by State or local law,
- 22 including, without limitation, the Howard County Board of Education, Howard County
- 23 Volunteer Fire Corporations the Howard County Community College; the Howard
- 24 County Board of Library trustees, the Howard County Housing Commission, the
- 25 Howard County Economic Development Authority, AND the Howard County Revenue
- 26 Authority[[, and the Howard County Mental Health Authority]];
- 27 (ii) Any nonprofit or nonstock corporation in Howard County that is exempt from taxation
- 28 under subsection 501(c)(3) or(4) of the Internal Revenue Code and receives 50 percent
- 29 or more of is annual operating budget from the State Government or the Government
- 30 of Howard County.

31 A *governmental agency* includes its public officials, employees, agents, and volunteers.

1 (2) *Authority to enter into agreements.* The County may cooperate with and enter into
2 agreements with governmental agencies in order to provide comprehensive risk
3 management in the most economical manner.

4 (3) *Coverage.* The comprehensive risk management program shall compensate for injury or
5 death of persons or damage to property resulting from the negligent or wrongful acts within
6 the scope of their official duties of public officials, agents, volunteers, or employees of the
7 governmental agency, shall provide protection against physical loss or damage to property
8 of the governmental agency, and shall provide for the defense of claims. An agreement
9 may provide for some or all of the coverage included in the comprehensive risk
10 management program established by the County.

11
12 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that
13 *the provisions of Section 1 of this Act that make amendments to Other Post-Employment Benefits*
14 *in sections 1.404B and 1.405B of the Howard County Code shall apply beginning on July 1, 2018.*

15
16 ~~***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that
17 *this Act shall become effective 61 days after its enactment.*~~

18 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland, that,
19 *having been passed by at least two-thirds of the members of the Council, this Act is effective on*
20 *July 1, 2018.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 5, 2018.



Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2018.

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2018.

Jessica Feldmark, Administrator to the County Council

Amendment 1 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 1

(This amendment adds two ex officio members, one family member, and one consumer member.)

1 On page 9, in line 4, strike “16” and substitute “18”.

2

3 On page 9, in line 5, strike “8” and substitute “10”.

4

5 On page 9, in line 20, strike “AND”.

6

7 On page 9, in line 26, strike the period and substitute a semi-colon.

8

9 On page 9, after line 26, insert:

10 “(9) THE REGIONAL DIRECTOR OF THE DEPARTMENT OF JUVENILE SERVICES, OR THE
11 DIRECTOR'S DESIGNEE; AND
12 (10) THE REGIONAL DIRECTOR OF THE DIVISION OF PAROLE AND PROBATION, OR THE
13 DIRECTOR'S DESIGNEE.”

14

15 On page 10, in line 6, strike “SIX” and substitute “SEVEN”.

16

17 On page 10, in line 9, strike “AND”.

18

19 On page 10, in line 11, strike the semicolon and substitute “; AND”.

20

21 On page 10, after line 11, insert:

22 “C. ONE MEMBER SHALL BE THE FAMILY MEMBER OF AN INDIVIDUAL WITH EITHER A
23 MENTAL HEALTH CONDITION OR A SUBSTANCE USE DISORDER.”

24

1 On page 10, in line 12, strike "SIX" and substitute "SEVEN".

2

3 On page 10, in line 15, strike "AND".

4

5 On page 10, in line 17, strike the semicolon and substitute "; AND".

6

7 On page 10, after line 17, insert:

8 "C. ONE MEMBER SHALL BE THE CONSUMER OF EITHER MENTAL HEALTH TREATMENT
9 SERVICES OR SUBSTANCE USE DISORDER TREATMENT SERVICES."

10

11 On page 10, in line 29, strike "THIRTEEN" and substitute "15".

ADOPTED

4/2/18

FAILED

SIGNATURE

Jessica Feldman

Amendment 2 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 2

(This amendment provides a statement that the Local Behavioral Health Advisory Board shall serve as the Local Drug and Alcohol Abuse Council, as provided by State Law.)

- 1 On page 12, in line 8, insert:
- 2 “(I) DESIGNATION UNDER STATE LAW. THE LOCAL BEHAVIORAL HEALTH ADVISORY BOARD SHALL
- 3 SERVE AS HOWARD COUNTY’S LOCAL DRUG AND ALCOHOL ABUSE COUNCIL, AS PROVIDED BY
- 4 SECTION 8-1001 OF THE HEALTH GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.”.

ADOPTED 4/2/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 3 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 3

(This amendment provides for a specific effective date.)

- 1 In the Bill's title, in the tenth line, after "Benefits;" insert "providing for a certain effective date;"
- 2
- 3 On page 15, strike lines 5 and 6, inclusive and in their entirety, and substitute:
- 4 "Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland,
- 5 that, having been passed by at least two-thirds of the members of the Council, this Act is effective
- 6 on July 1, 2018."

ADOPTED

4/2/18

FAILED

SIGNATURE

Jessica Feldman

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 3

Bill No. 13-2018

Introduced by: The Chairperson at the request of the County Executive

AN ACT relating to the provision of behavioral health services in the County; removing certain references to the Howard County Mental Health Authority; changing the name of the Alcohol and Drug Abuse Advisory Board to be the Local Behavioral Health Advisory Board; amending the duties of the Board of Health; amending the membership of certain boards and commissions; amending the membership of the Local Behavioral Health Advisory Board; amending the qualifications to be a member of the Local Behavioral Health Advisory Board; setting forth the duties and responsibilities of the Local Behavioral Health Advisory Board; making certain technical corrections; providing for the application of certain provisions related to changes to Other Post-Employment Benefits; and generally relating to the Local Behavioral Health Advisory Board.

Introduced and read first time _____, 2018. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2018.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2018 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2018 at ____ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2018

Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the*
2 *Howard County Code is amended as follows:*

3 *By amending:*

4 *Title 1- Human Resources*

5 *Subtitle 4B. Howard County Other Post-Employment Benefit Trust*

6 *Section 1.404B "Definitions"*

7

8 *Section 1.405B "Purpose and scope of trust"*

9 *Subsection (b)*

10

11 *Title 2 – Administrative Procedure*

12 *Subtitle 1. Administrative Procedure Act*

13 *Sections 2.103 "Applicability" and 2.109 "Applicability"*

14 *Subsection (b)*

15

16 *Section 2.109 "Applicability"*

17 *Subsection (b)*

18

19 *Title 6 – County Executive and Executive Branch*

20 *Subtitle 3. Boards and Commissions*

21 *Section 6.335 "Alcohol and Drug Abuse Advisory Board"*

22

23 *Title 12 – Health and Social Services*

24

25 *Subtitle 1. Health Code*

26 *Section 12.101 "Board of Health"*

27

28 *Subtitle 3. Local Children's Board*

29 *Section 12.301 "Membership of Local Children's Board; appointment"*

30 *Subsection (c)*

31

- 1 c. Individuals with financial experience;
- 2 d. Individuals representing the religious community;
- 3 e. A health care professional;
- 4 f. A mental health professional;
- 5 g. A child care professional;
- 6 h. Individuals representing private for-profit child serving agencies; and
- 7 i. A pediatrician.

8 (iv) The following individuals from the public sector shall be invited to serve on the Board:

- 9 a. The Director of the local Department of Social Services;
- 10 b. The Superintendent of Public Schools or an assistant superintendent;
- 11 c. The Supervisor of the Local Office of Juvenile Justice;
- 12 d. The Health Officer of Howard County;
- 13 e. The Chief of Police of Howard County;
- 14 f. The State's Attorney for Howard County;
- 15 g. The Director of Recreation and Parks; AND
- 16 h. The Director of the Department of Community Resources and Services[[]; and
- 17 i. The Executive Director of the Howard County Mental Health Authority]].

18 (v) The following individuals from the public sector may be invited to serve on the Board:

- 19 a. A judge from the District Court of Howard County or designee;
- 20 b. A judge from the Circuit Court of Howard County or designee;
- 21 c. The regional manager of the local child care administration or designee;
- 22 d. A member of the Howard County Housing Authority or designee;
- 23 e. An individual with responsibilities for coordination of transportation; and
- 24 f. The Director of the Howard County Library.

25

26

Title 12. Health and Social Services.

27

Subtitle 10. [[Alcohol and Drug Abuse]] BEHAVIORAL HEALTH.

28

29

Section 12.1000. [[Alcohol and Drug Abuse Advisory Board]] LOCAL BEHAVIORAL HEALTH

30

ADVISORY BOARD.

- 1 (a) *General Provisions.* General provisions applicable to ~~[[this]]~~ THE LOCAL BEHAVIORAL
2 HEALTH ADVISORY Board are set forth in subtitle 3, "Boards and Commissions," of title 6,
3 "County Executive and the Executive Branch," of the Howard County Code:
- 4 (b) *Number of Members.* The ~~[[Alcohol and Drug Abuse Advisory]]~~ Board shall have ~~[[14]]~~16
5 appointed members and ~~[[12]]~~8 ex officio members.
- 6 (c) *Ex Officio Members.* The ex officio members shall be:
- 7 (1) The Chief of Police or the Chief's designee;
- 8 (2) The Superintendent of the Public School System or the Superintendent's designee;
- 9 (3) THE ADMINISTRATOR OF THE OFFICE ON AGING AND INDEPENDENCE, DEPARTMENT OF
10 COMMUNITY RESOURCES AND SERVICES;
- 11 ~~[[3) The Health Officer or the Health Officer's designee;]]~~
- 12 (4) The Administrative Judge of the Circuit Court (5th Judicial District) or the judge's
13 designee, who shall be a judge from the district or circuit courts in Howard County;
- 14 (5) The Director of the Department of Corrections or the Director's designee;
- 15 ~~[[6) A member of the County Council or the Council's designee;]]~~
- 16 ~~[[7]]6) The State's Attorney or the State's Attorney's designee;~~
- 17 ~~[[8) The President of the Howard County Student Government Association or the~~
18 ~~President's designee;]]~~
- 19 ~~[[9]]7) The Director of the Local Department of Social Services or the Director's designee;~~
20 AND
- 21 ~~[[10) The Regional Director of the Department of Juvenile Services or the Director's~~
22 ~~designee;~~
- 23 (11) The Regional Director of the Division of Parole and Probation of the Director's
24 designee; and]]
- 25 ~~[[12]]8) The District Public Defender for the 5th Judicial District or the District Public~~
26 ~~Defender's designee.~~
- 27 (d) *Qualifications of the Appointed Members:*
- 28 ~~[[1) Three members shall represent providers of substance abuse education, treatment or~~
29 ~~prevention;~~
- 30 (2) Seven members shall represent the general public and shall not be providers of substance
31 abuse education, treatment, or prevention services to Howard County residents;

- 1 (3) One member shall be a representative of a college or university in the County;
2 (4) One member shall be a student of a college or university in the County;
3 (5) One member shall represent an advocacy group which addresses issues relating to alcohol
4 and/or drug abuse; and
5 (6) One member shall be a recipient of addictions treatment services.]]

6 (1) SIX MEMBERS SHALL BE FAMILY MEMBERS OF AN INDIVIDUAL WHO HAS EXPERIENCED A
7 BEHAVIORAL HEALTH CONDITION OF WHICH:

- 8 A. THREE MEMBERS SHALL BE THE FAMILY MEMBERS OF AN INDIVIDUAL WITH A MENTAL
9 HEALTH CONDITION; AND
10 B. THREE MEMBERS SHALL BE THE FAMILY MEMBERS OF AN INDIVIDUAL WITH A
11 SUBSTANCE USE DISORDER;

12 (2) SIX MEMBERS SHALL BE CONSUMERS OF BEHAVIORAL HEALTH TREATMENT SERVICES OF
13 WHICH:

- 14 A. THREE MEMBERS SHALL BE THE CONSUMERS OF MENTAL HEALTH TREATMENT
15 SERVICES; AND
16 B. THREE MEMBERS SHALL BE THE CONSUMERS OF SUBSTANCE USE DISORDER TREATMENT
17 SERVICES;

18 (3) TWO MEMBERS SHALL BE ADVOCATES OR BEHAVIORAL HEALTH PROFESSIONALS THAT
19 PROVIDE EDUCATION, TREATMENT, OR PREVENTION OF WHICH:

- 20 A. ONE MEMBER SHALL BE A MENTAL HEALTH PROFESSIONAL; AND
21 B. ONE MEMBER SHALL BE A SUBSTANCE USE DISORDER PROFESSIONAL; AND

22 (4) TWO MEMBERS SHALL BE MEMBERS OF THE GENERAL PUBLIC OF WHICH ONE SHALL HAVE
23 INTEREST IN MENTAL HEALTH AND ONE SHALL HAVE INTEREST IN SUBSTANCE USE
24 DISORDERS.

25 (e) *Staff Support.* The Health Department shall provide staff support to the Board.

26 (f) *Meetings.* The [[Alcohol and Drug Abuse Advisory]] Board shall meet at least nine times
27 per year. Special meetings may be held at any time, at the call of the chair or upon written
28 request of at least six members.

29 (g) *Quorum.* A quorum shall consist of [[six]] THIRTEEN members.

1 [[(h) *Duties and Responsibilities.* The Alcohol and Drug Abuse Advisory Board shall carry out
2 all duties and responsibilities assigned to it by law. The Alcohol and Drug Abuse Advisory
3 Board shall:

- 4 (1) Periodically review available services and facilities for prevention and/or treatment of
5 alcohol or drug abuse to determine how these services and facilities are meeting the needs
6 of Howard County residents;
- 7 (2) Review the County Health Department's annual substance abuse plan;
- 8 (3) Make recommendations to the Health Officer and to the County Executive and the
9 County Council concerning the need for services and facilities for substance abuse
10 prevention, education and treatment;
- 11 (4) Act as a County advocate for alcohol and drug abuse programs;
- 12 (5) Submit an annual report to the County Executive and the County Council on the needs for
13 alcohol and drug abuse prevention and treatment and the resources available in the
14 community; and
- 15 (6) At the direction of the County Executive or by resolution of the County Council, review
16 and make recommendations on any matter related to alcohol or drug abuse.]]

17 (H) *DUTIES AND RESPONSIBILITIES.* THE LOCAL BEHAVIORAL HEALTH ADVISORY BOARD'S
18 MISSION IS TO ADVISE THE COUNTY HEALTH OFFICER AND THE COUNTY EXECUTIVE IN THEIR
19 RESPONSIBILITY TO PLAN, MANAGE, AND MONITOR BEHAVIORAL HEALTH PROGRAMS AND SERVICES
20 FOR HOWARD COUNTY RESIDENTS. THE BOARD SHALL:

- 21 (1) SERVE AS ADVOCATES FOR CLIENTS/CONSUMERS/FAMILY MEMBERS IN NEED OF SHORT AND
22 LONG-TERM CARE IN THE LOCAL BEHAVIORAL HEALTH COMMUNITY;
- 23 (2) COORDINATE WITH AND SUPPORT THE EFFORTS OF INDIVIDUALS AND COMMUNITY
24 ORGANIZATIONS ON BEHAVIORAL HEALTH;
- 25 (3) MAKE RECOMMENDATIONS AS NEEDED TO THE COUNTY HEALTH OFFICER AND COUNTY
26 EXECUTIVE CONCERNING BEHAVIORAL HEALTH TOPICS, INCLUDING:
 - 27 (I) BEST-IN-CLASS SERVICES AND FACILITIES;
 - 28 (II) EDUCATION AND TREATMENT;
 - 29 (III) STRENGTHS AND WEAKNESSES OF EXISTING AND NEW OPPORTUNITIES TO PROVIDE
30 HOWARD COUNTY RESIDENTS WITH BEHAVIORAL HEALTH RELATED RESOURCES
31 AND SERVICES;

- 1 (4) PROACTIVELY OR AT THE DIRECTION OF THE COUNTY EXECUTIVE OR BY RESOLUTION OF
2 THE COUNTY COUNCIL, REVIEW AND MAKE RECOMMENDATIONS ON ANY MATTER RELATED
3 TO LOCAL BEHAVIORAL HEALTH NEEDS;
- 4 (5) PREPARE AN ANNUAL REPORT SUBMITTED TO THE COUNTY HEALTH OFFICER, COUNTY
5 EXECUTIVE, AND THE COUNTY COUNCIL ON THE LOCAL BEHAVIORAL NEEDS AND
6 RESOURCES AVAILABLE IN THE COMMUNITY; AND
- 7 (6) CARRY OUT ANY OTHER DUTY OR RESPONSIBILITY ASSIGNED BY LAW.

8
9 **Title 12. Health and Social Services.**

10 **Subtitle 17. Board to Promote Self Sufficiency.**

11
12 **Section 12.1701. Membership.**

13 (d) *Qualifications of Members:*

- 14 (1) All members shall either reside or work in Howard County.
- 15 (2) As practicable, the Board shall reflect the gender, geographic, ethnic, and racial [[make
16 up]] MAKEUP of the County.
- 17 (3) Ex-officio members from the public sector shall include the following:
- 18 (i) The Director of the Department of Social Services, or the Director's designee;
- 19 (ii) The Director of the Department of Community Resources and Services, or the
20 Director's designee;
- 21 [[(iii) The Director of the Mental Health Authority, or the Director's designee;]]
- 22 ([[iv]](iii) The Director of the Howard County Health Department, or the Director's
23 designee;
- 24 ([[v]](iv) The Director of the Department of Housing and Community Development or the
25 Director's designee;
- 26 ([[vi]](v) The Director of the Department of Corrections, or the Director's designee;
- 27 ([[vii]](vi) The Administrator of the Office of Workforce Development, or the
28 Administrator's designee;
- 29 ([[viii]](vii) The President of Howard Community College, or the President's designee;
- 30 ([[ix]](viii) The Superintendent of the Howard County Public School System, or the
31 Superintendent's designee; and

1
2 **Title 23. Risk Management.**

3 **Subtitle 1. Comprehensive Risk Management Program.**

4
5 **Section 23.102. Cooperation with other governmental agencies.**

6 (a) *Agreements for Pooled Comprehensive Risk Management:*

7 (1) *Governmental agency* means:

8 (i) A public or quasi-public agency in Howard County created by State or local law,
9 including, without limitation, the Howard County Board of Education, Howard County
10 Volunteer Fire Corporations the Howard County Community College; the Howard
11 County Board of Library trustees, the Howard County Housing Commission, the
12 Howard County Economic Development Authority, AND the Howard County Revenue
13 Authority[[, and the Howard County Mental Health Authority]];

14 (ii) Any nonprofit or nonstock corporation in Howard County that is exempt from taxation
15 under subsection 501(c)(3) or(4) of the Internal Revenue Code and receives 50 percent
16 or more of its annual operating budget from the State Government or the Government
17 of Howard County.

18 A *governmental agency* includes its public officials, employees, agents, and volunteers.

19 (2) *Authority to enter into agreements.* The County may cooperate with and enter into
20 agreements with governmental agencies in order to provide comprehensive risk
21 management in the most economical manner.

22 (3) *Coverage.* The comprehensive risk management program shall compensate for injury or
23 death of persons or damage to property resulting from the negligent or wrongful acts within
24 the scope of their official duties of public officials, agents, volunteers, or employees of the
25 governmental agency, shall provide protection against physical loss or damage to property
26 of the governmental agency, and shall provide for the defense of claims. An agreement
27 may provide for some or all of the coverage included in the comprehensive risk
28 management program established by the County.
29

1 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that
2 *the provisions of Section 1 of this Act that make amendments to Other Post-Employment Benefits*
3 *in sections 1.404B and 1.405B of the Howard County Code shall apply beginning on July 1, 2018.*
4
5 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland, that
6 *this Act shall become effective 61 days after its enactment.*

Amendment 1 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 1

(This amendment adds two ex officio members, one family member, and one consumer member.)

1 On page 9, in line 4, strike “16” and substitute “18”.

2

3 On page 9, in line 5, strike “8” and substitute “10”.

4

5 On page 9, in line 20, strike “AND”.

6

7 On page 9, in line 26, strike the period and substitute a semi-colon.

8

9 On page 9, after line 26, insert:

10 “(9) THE REGIONAL DIRECTOR OF THE DEPARTMENT OF JUVENILE SERVICES, OR THE

11 DIRECTOR'S DESIGNEE; AND

12 (10) THE REGIONAL DIRECTOR OF THE DIVISION OF PAROLE AND PROBATION, OR THE

13 DIRECTOR'S DESIGNEE.”

14

15 On page 10, in line 6, strike “SIX” and substitute “SEVEN”.

16

17 On page 10, in line 9, strike “AND”.

18

19 On page 10, in line 11, strike the semicolon and substitute “; AND”.

20

21 On page 10, after line 11, insert:

22 “C. ONE MEMBER SHALL BE THE FAMILY MEMBER OF AN INDIVIDUAL WITH EITHER A

23 MENTAL HEALTH CONDITION OR A SUBSTANCE USE DISORDER;”.

24

1 On page 10, in line 12, strike “SIX” and substitute “SEVEN”.

2

3 On page 10, in line 15, strike “AND”.

4

5 On page 10, in line 17, strike the semicolon and substitute “; AND”.

6

7 On page 10, after line 17, insert:

8 “C. ONE MEMBER SHALL BE THE CONSUMER OF EITHER MENTAL HEALTH TREATMENT
9 SERVICES OR SUBSTANCE USE DISORDER TREATMENT SERVICES;”.

10

11 On page 10, in line 29, strike “THIRTEEN” and substitute “15”.

Amendment 2 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 2

(This amendment provides a statement that the Local Behavioral Health Advisory Board shall serve as the Local Drug and Alcohol Abuse Council, as provided by State Law.)

- 1 On page 12, in line 8, insert:
- 2 “(I) DESIGNATION UNDER STATE LAW. THE LOCAL BEHAVIORAL HEALTH ADVISORY BOARD SHALL
- 3 SERVE AS HOWARD COUNTY’S LOCAL DRUG AND ALCOHOL ABUSE COUNCIL, AS PROVIDED BY
- 4 SECTION 8-1001 OF THE HEALTH GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.”.

Amendment 3 to Council Bill No. 13-2018

BY: The Chairperson at the
request of the County Executive

Legislative Day No. 4
Date: April 2, 2018

Amendment No. 3

(This amendment provides for a specific effective date.)

- 1 In the Bill's title, in the tenth line, after "Benefits;" insert "providing for a certain effective date;"
- 2
- 3 On page 15, strike lines 5 and 6, inclusive and in their entirety, and substitute:
- 4 "Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland,
- 5 that, having been passed by at least two-thirds of the members of the Council, this Act is effective
- 6 on July 1, 2018."



BOARD OF TRUSTEES

Henry E. Posko, Jr.
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Jeanne A. Kennedy

Tracy Miller

Yvette Oquendo

Jeffrey Rivest

Ned Tillman

Dou Alvin Zhang

Bill No: CB 13-2018
Title: Behavioral Health Integration
Position: SUPPORT

The Horizon Foundation is dedicated to improving health and wellness in Howard County, and offers its full support of CB 13-2018. The County Executive's bill will pave the way to fully integrate behavioral health services into the Howard County Health Department. Integration of mental health and substance abuse services under one agency will likely result in improved service coordination, more comprehensive health planning, better efficiency, and healthier residents.

Behavioral health integration has been a long-time community aspiration and the Foundation has been a part of community discussions regarding the topic since the beginning. Local discussions about behavioral health service integration began at least five years ago as the State reconsidered its statewide service delivery model. At that time, the Mental Health Authority (MHA) convened experts from the field together with community leaders to discuss the benefits of integration and how it might best occur locally. As discussions continued, MHA and the Health Department chose to co-locate at the Stanford Blvd offices so that that substance abuse and mental health staff could benefit from each other's proximity. And in 2017, County Executive Kittleman convened a work group to make final recommendations on how to proceed. Foundation staff were invited to participate in these meetings and thought that the work group discussions were well-executed, civil, frank, and fair. The work group concluded that it was in the best interest of Howard County residents for the Health Department and MHA to merge.

We acknowledge that full integration will not be an easy process and that community advocates want to make sure that behavioral health priorities and service concerns are not buried within the county bureaucracy. Enacting CB 13 will create a new Local Behavioral Health Advisory Board and expand the duties and responsibilities of the Board of Health. Together, the Boards will act as "watchdogs" to ensure that behavioral health services continue to be delivered in the best way possible to the residents you serve and that we can plan for services and supports needed in the future.

Given that mental illness and substance abuse disorders frequently co-occur, planning, service coordination, and contracting of services should be integrated so that Howard County residents receive the best care they need to live a healthy life. Doing so under the health department makes the most sense. The Foundation urges you to pass the County Executive's bill, CB 13-2018. It makes good sense and will result in a healthier Howard County.

Testimony In Support of Council Bill No. 13-2018

by

Scott Rose, Executive Director, Way Station, Inc.

March 19, 2018

I am pleased to testify in support of Council Bill No. 13-2018. Way Station, a part of the Sheppard Pratt Health System, provides a comprehensive array of mental health services in Howard County to almost 2,000 citizens, including an outpatient mental health clinic, day psychosocial rehabilitation program, scattered-site supported housing, and mobile treatment.

We support the bill because we believe that it is in the best interests of Howard County citizens that the Mental Health Authority be merged into the Health Department for the following reasons:

1. The Maryland Behavioral Health Administration which funds mental health and addiction recovery services for low-income individuals has indicated that local LAAs and CSAs must be integrated administratively as well as clinically. This is consistent with the positive movement in the behavioral health field toward integration at local, state and federal levels across the country.
2. In Howard County, the Health Department is positioned well to absorb the functions of the Mental Health Authority because of the Health Department's strong administrative leadership, clinical expertise in the treatment of both mental illness and substance use disorders, experience with providing and monitoring healthcare in both publicly and privately funded systems, and unique skill in population health management.

As a related point, I served on the workgroup that analyzed the various options and that made the recommendation to merge the Mental Health Authority into the Health Department. This study was one of the most truly objective and comprehensive government-led stakeholder input processes that I have witnessed in my 30 years in nonprofit senior management. As such, I am very confident in the wisdom of the workgroup's recommendation which I supported then and still support now.

Office of the Vice President of
Population Health and Advancement
5755 Cedar Lane
Columbia, MD 21044



HOWARD COUNTY
GENERAL HOSPITAL
JOHNS HOPKINS MEDICINE

Council Chair Sigaty and Members of the Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

CB 13 -- Support

March 19, 2018

Dear Council Chairperson Sigaty and members of the Howard County Council:

Howard County General Hospital, a non-profit organization on the front lines of addiction and behavioral health treatment in Howard County, offers its full support of CB 13. The legislation would provide an effective means of integrating oversight and policy regarding mental health and substance-abuse issues.

The proposed merger of activities and operations of the Mental Health Authority into the Howard County Health Department would create a single point of contact for providers, agencies and non-profits such as Howard County General Hospital (HCGH), when developing programs for this client population.

HCGH enjoys a close and effective working relationship with the Health Department. The two organizations have worked together to link peer recovery support specialists to patients in our hospital who want to begin substance use disorder treatment, on training county and hospital employees and members of the general public to administer life-saving naloxone, and on other issues.

The Health Department knows very well the challenges faced by the hospital in providing behavioral health services. Our adult and pediatric Emergency Department beds are often filled with behavioral health patients requiring inpatient treatment. They wait for days, sometimes weeks, for proper placement. The issues faced by this patient population are complex, and we concur with the need to streamline the work being done on best practices and practical solutions.

A new Local Behavioral Health Advisory Board, advising the County Health Officer and the County Executive, would provide a much-needed sharpened focus for this effort. As you know, state law

requires that this consolidation be undertaken. We commend Howard County for the thoughtful and reasonable approach to implementing these requirements.

We believe the changes proposed in CB13 will benefit the citizens of Howard County and Howard County General Hospital urges the adopt CB13.

Sincerely,

A handwritten signature in black ink, appearing to read 'EK', with a long horizontal stroke extending to the right.

Elizabeth Edsall Kromm, PhD, MSc
Vice President, Population Health and Advancement

Maura J. Rossman, M.D., Health Officer

To: Members of the Howard County Council
From: Matt Reber, Member, Howard County Board of Health
Date: March 19, 2018
Subject: Support CB-13

Good evening and thank you for the opportunity to support this legislation on behalf of The Howard County Board of Health. The Board of Health supports the integration of the Core Service Agency (Mental Health Authority) and the Local Addiction Authority (LAA or HCHD Bureau of Behavioral Health). The creation of a Local Behavioral Health Authority unifies the administration of the publicly funded mental health and substance use treatment services system in Howard County.

A Board of Health member, Dr. Sue Song, participated on the Behavioral Health workgroup which explored options for integration and voted to merge the Mental Health Authority into the Howard County Health Department. As an outcome of the integration process, it was recommended that the Board of Health membership be amended to include representation of those served by the mental health and substance use treatment community. This legislation adds 2 members to the BOH:

- At Least one member with professional experience in mental health
- At Least one member with professional experience in substance use disorders

Mental health and substance use issues are a growing concern among Howard County Residents. The addition of these two members will infuse needed knowledge and advisory capacity to the Board of Health and ensure community members with behavioral health issues have a voice.

The Board of Health also supports the creation of a Local Behavioral Health Advisory Board by merging the advisory responsibilities of the current Mental Health Authority Board and the Alcohol Drug Abuse Advisory Board. The Behavioral Health Advisory Board will advise the Health Officer and County Executive in regard to planning, managing, and monitoring of behavioral health programs for Howard County residents.

Thank you for allowing me the opportunity to support this measure on behalf of the Board of Health. We are looking forward to July when the integration is complete and the opportunities it will allow to better serve our community.

Maura J. Rossman, M.D., Health Officer

To: Members of the Howard County Council
From: Antigone R. Vickery, Deputy Health Officer
Date: March 19, 2018
Subject: **CB13-2018, Behavioral Health Services**

Howard County Health Department (HCHD) fully supports **CB13, Behavioral Health Services** which supports the creation of a new Local Behavioral Health Authority and removes the Mental Health Authority from County Code. This accompanies the integration of the Howard County Mental Health Authority (the County's designated Core Service Agency) into the HCHD's Bureau of Behavioral Health (the County's designated Local Addictions Authority), to create the Local Behavioral Health Authority. The result of this integration will unify the administration of publicly funded mental health and substance use treatment services in Howard County, as well as coordinate other related services for all residents under one unit.

The integration of mental health and substance use disorders under a coordinated Behavioral Health framework has been an ongoing process for several years, occurring at the State level and at agencies in local jurisdictions across the state. Howard County's activities are in full alignment with State guidance.

In Howard County, this legislation and integration supports, strengthens and advances the recommendations made in the County's *2014 Behavioral Health Taskforce Final Report*. Efforts toward integration were further advanced in the summer of 2015 when the Mental Health Authority physically moved into the same space as the Health Department. Then finally, in the spring of 2017 a workgroup was formed with a cross section of key stakeholders who held public meetings and examined organizational integration. This concluded in a final public vote to proceed with integration. All in all, a very inclusive and transparent process. The outcome of this will be a unified and coordinated Behavioral Health unit that can better serve all Howard County residents grappling with mental health and or substance use disorders. The organizational integration will be seamless due to the groundwork established in the previous years.

Howard County Health Department is prepared. We have been working with MHA staff (and Board members) since the fall 2017 to review programs and funding, culminating in a combined FY19 funding proposal submitted to the State in February. Starting in July, grant management and delivery of program services will be streamlined. We can also ensure connection to additional programs within the HCHD that may be beneficial. All of this will result in better service to our residents.

To strengthen integration, this legislation recommends that the Board of Health (BOH) membership be amended by adding two additional members: one member with professional mental health experience and one with professional experience in substance use disorder treatment. As mental health and substance use issues become a growing concern among Howard County residents, the addition of these two members will contribute knowledge and advisory capacity to the Board of Health and ensure community members with behavioral health issues have a voice.

The new Behavioral Health Advisory Board will advise the Health Officer and County Executive in regard to planning, managing, and monitoring of behavioral health programs for Howard County residents and work to strengthen the larger Behavioral Health System for all Howard County residents.