

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2018, Legislative Day No. 17

Bill No. 87-18

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, October 15, 2018

A BILL
ENTITLED

AN ACT concerning

Baltimore County Behavioral Health Advisory Council

FOR the purpose of establishing the Baltimore County Behavioral Health Advisory Council;
providing for the duties and membership of the Council; providing for the terms of the
members; requiring the Behavioral Health Advisory Council to appoint the chair and vice
chair of the Behavioral Health Advisory Council; authorizing the Behavioral Health
Advisory Council to adopt certain procedures; requiring the Behavioral Health Advisory
Council to meet at least a certain number of times a year; providing that a member may
not receive compensation as a member of the Behavioral Health Advisory Council but is
entitled to certain reimbursement for expenses; requiring the Health Officer or Bureau of
Behavioral Health to provide certain staff for the Behavioral Health Advisory Council;
merging the Baltimore County Mental Health Advisory Council into the Behavioral
Health Advisory Council pursuant to §10-309(c) of the Health-General Article of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

Annotated Code of Maryland; and generally relating to the Baltimore County Behavioral Health Advisory Council.

By repealing and reenacting, without amendments

Sections 3-3-103
Subtitle 1. Removal and Resignation of Members
Title 3. Boards, Commissions, Committees, Panels, and Foundations
Article 3. Administration
Baltimore County Code, 2015

By adding

Sections 3-3-2501 to 3-3-2507
Subtitle 25. Baltimore County Behavioral Health Advisory Council
Title 3. Boards, Commissions, Committees, Panels, and Foundations
Article 3. Administration
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE

2 COUNTY, MARYLAND, that the Laws of Baltimore County shall read as follows:

3 Article 3. Administration

4 Title 3. Boards, Commissions, Committees, Panels, and Foundations

5 Subtitle 1. Removal and Resignation of Members

6 § 3-3-103.

7 (a) This section does not apply to the Planning Board.

1 (b) (1) At the end of a term, an elected or appointed member, director, or trustee of a board,
2 commission, committee, panel, or foundation established under this title continues to serve until
3 a successor is appointed or elected and qualifies.

4 (2) An elected or appointed member, director, or trustee of a board, commission,
5 committee, panel, or foundation established under this title who is appointed or elected after a
6 term has begun serves only for the rest of the term and until a successor is appointed or elected
7 and qualifies.

8 SUBTITLE 25. BALTIMORE COUNTY BEHAVIORAL HEALTH ADVISORY COUNCIL

9 § 3-3-2501.

10 IN ACCORDANCE WITH TITLE 10, SUBTITLE 3, PART II OF THE HEALTH-GENERAL
11 ARTICLE OF THE ANNOTATED CODE OF MARYLAND FOR THE PROVISION OF
12 JOINT MENTAL HEALTH AND ADDICTIONS ADVISORY COMMITTEES, THERE IS A
13 BALTIMORE COUNTY BEHAVIORAL HEALTH ADVISORY COUNCIL.

14 § 3-3-2502.

15 IN THIS SUBTITLE, “COUNCIL” MEANS THE BALTIMORE COUNTY
16 BEHAVIORAL HEALTH ADVISORY COUNCIL.

17 § 3-3-2503.

18 (A) (1) THE COUNCIL SHALL CONSIST OF THE FOLLOWING:

1 (I) AS NONVOTING EX OFFICIO MEMBERS, THE FOLLOWING INDIVIDUALS
2 OR THEIR DESIGNEES:

3 1. THE HEALTH OFFICER FOR THE COUNTY;

4 2. A REPRESENTATIVE OF A STATE INPATIENT FACILITY THAT
5 SERVES THE COUNTY, APPOINTED AS PROVIDED IN SUBPARAGRAPH (II) OF
6 THIS PARAGRAPH;

7 3. THE CHIEF OF THE BUREAU OF BEHAVIORAL HEALTH; AND

8 4. THE DIRECTOR OF THE CORE SERVICE AGENCY OR LOCAL
9 BEHAVIORAL HEALTH AUTHORITY, IF ANY; AND,

10 (II) AS VOTING MEMBERS AND REPRESENTATIVE OF THE COUNTY'S
11 MAJOR SOCIO-ECONOMIC AND ETHNIC GROUPS:

12 1. THE COUNTY EXECUTIVE SHALL APPOINT AT LEAST 5, BUT NOT
13 MORE THAN 7, REPRESENTATIVES SELECTED FROM AMONG THE FOLLOWING:

14 A. THE OFFICE OF THE COUNTY EXECUTIVE;

15 B. THE CHAIR OF THE COUNTY BOARD OF EDUCATION, OR
16 THE CHAIR'S DESIGNEE;

17 C. THE DIRECTOR OF THE COUNTY'S DEPARTMENT OF SOCIAL
18 SERVICES, OR THE DIRECTOR'S DESIGNEE;

19 D. PRACTICING PHYSICIANS;

1 E. BEHAVIORAL HEALTH PROFESSIONALS WHO ARE NOT
2 PHYSICIANS;

3 F. THE CLERGY;

4 G. THE COUNTY LEGAL PROFESSION;

5 H. THE COUNTY CHIEF OF POLICE, OR THE CHIEF'S DESIGNEE;

6 I. A COUNTY GENERAL HOSPITAL THAT CONTAINS AN
7 INPATIENT BEHAVIORAL HEALTH UNIT;

8 J. THE DIRECTOR OF THE COUNTY DEPARTMENT OF AGING,
9 OR THE DIRECTOR'S DESIGNEE;

10 K. THE REGIONAL DIRECTOR OF THE DEPARTMENT OF
11 JUVENILE SERVICES, OR THE DIRECTOR'S DESIGNEE;

12 L. THE COUNTY FIRE CHIEF, OR THE FIRE CHIEF'S DESIGNEE;
13 AND;

14 M. A COMMUNITY REHABILITATION OR HOUSING PROGRAM
15 THAT OPERATES IN THE COUNTY; AND

16 2. THE COUNTY EXECUTIVE SHALL APPOINT MEMBERS, SELECTED
17 FROM AMONG THE FOLLOWING GROUPS OR ORGANIZATIONS, AND AS
18 PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH:

1 A. AT LEAST 2 INDIVIDUALS WHO ARE CURRENTLY
2 RECEIVING OR WHO HAVE IN THE PAST RECEIVED BEHAVIORAL HEALTH
3 SERVICES;

4 B. PARENTS OR OTHER RELATIVES OF ADULTS WITH
5 BEHAVIORAL HEALTH DISORDERS;

6 C. PARENTS OR OTHER RELATIVES OF CHILDREN OR
7 ADOLESCENTS WITH EMOTIONAL, BEHAVIORAL, OR MENTAL DISORDERS THE
8 ONSET OF WHICH OCCURRED DURING CHILDHOOD OR ADOLESCENCE;

9 D. A COUNTY BEHAVIORAL HEALTH ASSOCIATION, IF ANY;

10 AND

11 E. A MEMBER OF THE GENERAL PUBLIC.

12 3. THE CHAIR OF THE COUNTY COUNCIL SHALL APPOINT ONE
13 MEMBER OF THE GENERAL PUBLIC.

14 (III) AT LEAST ONE-HALF OF THE VOTING MEMBERS SHALL BE APPOINTED
15 FROM AMONG THE INDIVIDUALS LISTED IN PARAGRAPH (1)(II)2A THROUGH C OF
16 THIS SUBSECTION.

17 (IV) THE COUNTY EXECUTIVE MAY APPOINT ANY ADDITIONAL NON-
18 VOTING MEMBERS TO THE COUNCIL AS NECESSARY TO ADVISE AND ADVOCATE
19 ABOUT BEHAVIORAL HEALTH ISSUES.

1 § 3-3-2504.

2 (A) THE TERM OF AN APPOINTED MEMBER IS THREE YEARS AND BEGINS
3 ON JULY 1.

4 (B) THE TERMS OF ONE-THIRD OF THE APPOINTED MEMBERS OF THE
5 COUNCIL SHALL END EACH YEAR ON JUNE 30.

6 (C) A MEMBER WHO SERVES TWO CONSECUTIVE FULL THREE-YEAR
7 TERMS MAY NOT BE REAPPOINTED FOR TWO YEARS AFTER COMPLETION OF
8 THOSE TERMS.

9 (D) MEMBERS OF THE COUNCIL SHALL RECEIVE NO SALARIES BUT SHALL
10 BE REIMBURSED FOR ALL EXPENSES NECESSARILY INCURRED IN THE
11 PERFORMANCE OF THEIR DUTIES IN ACCORDANCE WITH APPROPRIATIONS
12 APPROVED BY THE COUNTY COUNCIL.

13 § 3-3-2505.

14 (A) (1) FROM AMONG ITS MEMBERS, THE COUNCIL SHALL ELECT
15 ANNUALLY A CHAIR AND OTHER OFFICERS THAT THE COUNCIL FINDS
16 NECESSARY.

17 (2) FROM AMONG ITS MEMBERS, THE COUNCIL SHALL ELECT
18 ANNUALLY A VICE-CHAIR WHO SHALL SERVE A ONE-YEAR TERM COTERMINOUS
19 WITH THE CHAIR.

20 (B) A MEMBER MAY NOT SERVE AS CHAIR FOR MORE THAN TWO
21 CONSECUTIVE YEARS.

22 (C) (1) THE CHAIR SHALL PRESIDE AT ALL MEETINGS OF THE COUNCIL.

1 (2) THE VICE-CHAIR SHALL ASSUME ALL DUTIES OF THE CHAIR IN
2 THE ABSENCE OF THE CHAIR AND SHALL PERFORM OTHER DUTIES AS ASSIGNED
3 BY THE CHAIR.

4 (D) THE MANNER OF ELECTION OF OFFICERS SHALL BE AS THE COUNCIL
5 DETERMINES.

6
7 § 3-3-2506.

8 (A) THE COUNCIL SHALL HAVE NOT FEWER THAN SIX MEETINGS PER YEAR
9 AT THE TIMES AND PLACES THAT THE COUNCIL DETERMINES.

10 (B) (1) A MAJORITY OF THE VOTING MEMBERS PRESENT OF THE
11 COUNCIL SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS;
12 AND

13 (2) AN AFFIRMATIVE VOTE BY THE MAJORITY OF THOSE
14 PRESENT AT ANY MEETING SHALL BE SUFFICIENT FOR ANY OFFICIAL ACTION.

15 (C) THE HEALTH OFFICER OR THE DEPARTMENT OF HEALTH, BUREAU OF
16 BEHAVIORAL HEALTH SHALL PROVIDE STAFF SERVICES FOR THE COUNCIL.

17
18 § 3-3-2507.

19 (A) THE COUNCIL MAY:

20 (1) CREATE SUBCOMMITTEES;

21 (2) HAVE ADDITIONAL INDIVIDUALS PARTICIPATE AS NEEDED;

22 (3) CONSULT WITH STATE AND COUNTY AGENCIES TO OBTAIN SUCH

1 TECHNICAL ASSISTANCE AND ADVICE AS IT CONSIDERS NECESSARY TO
2 COMPLETE ITS DUTIES; AND

3 (4) ADOPT A SET OF RULES TO GOVERN ITS MEETING AND PROCEDURES.

4 (B) THE COUNCIL SHALL:

5 (1) MONITOR, REVIEW AND EVALUATE THE ALLOCATION AND ADEQUACY
6 OF PUBLICLY FUNDED BEHAVIORAL HEALTH SERVICES WITHIN THE COUNTY;

7 (2) DETERMINE THE NEEDS OF THE COUNTY BEHAVIORAL HEALTH
8 SYSTEM, INCLUDING QUALITY OF SERVICES, GAPS IN THE SYSTEM, AND
9 INTERAGENCY COORDINATION;

10 (3) PARTICIPATE IN THE DEVELOPMENT OF THE LOCAL BEHAVIORAL
11 HEALTH PLAN AND BUDGET;

12 (4) PREPARE AND DISSEMINATE AN ANNUAL REPORT IN FORM AND TO
13 REQUIRED PARTIES IN ACCORDANCE WITH §10-312 OF THE HEALTH-GENERAL
14 ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

15 (5) REVIEW AND COMMENT ON THE ANNUAL COUNTY BEHAVIORAL
16 HEALTH PLAN AND PRELIMINARY BUDGET, BEFORE SUBMISSION OF THE
17 BUDGET TO THE STATE; AND

18 (6) REVIEW AND COMMENT ON THE ANNUAL FISCAL REPORT.

19 SECTION 2. AND BE IT FURTHER ENACTED, that the Baltimore County Mental
20 Health Advisory Council be merged into the Baltimore County Behavioral Health Advisory
21 Council, pursuant to §10-309(c) of the Health-General Article of the Annotated Code of
22 Maryland.

1 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
2 an affirmative vote of five (5) members of the County Council, shall take effect on December 2,
3 2018.