

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 87, § 46(a), as it related to the warden of the Baltimore City Detention Center, and (c) through (e), as they related to inmates committed to the custody of the Commissioner of Pretrial Detention and Services.

As to the revision of former Art. 87, § 46(a) and (c) through (e), as they relate to local correctional facilities, see § 11-203 of this article.

In subsection (a)(2)(i) of this section, the reference to an inmate who is "covered" or insured is added because it is not technically accurate to refer to some types of prepaid medical coverage as "insurance".

In subsection (a)(2)(iv) of this section, the phrase "relating to items (i) through (iii) of this item" is added to state expressly that which was only implied in the former law.

In subsection (c) of this section, the reference to "insurance" is added for consistency with subsection (a)(2)(i) of this section.

Also in subsection (c) of this section, the former reference to a person or "entity" is deleted in light of § 1-101 of this article, which defines "person" to include any "entity".

Also in subsection (c) of this section, the reference to "reimbursement" or payment is added for consistency with the language of subsections (a) and (b) of this section.

Defined terms: "Department" § 1-101

"Inmate" § 1-101

"Person" § 1-101

5-406. AUTHORIZATION FOR MEDICAL TREATMENT FOR JUVENILE INMATES.

(A) IN GENERAL.

THE WARDEN OF THE BALTIMORE CITY DETENTION CENTER AND THE WARDEN'S DESIGNEES MAY AUTHORIZE MEDICAL TREATMENT OF A JUVENILE INMATE WHEN IN THE JUDGMENT OF THE WARDEN OR A DESIGNEE THE TREATMENT IS REQUIRED AND A PARENT, GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE JUVENILE IS NOT AVAILABLE ON A TIMELY BASIS TO GIVE THE AUTHORIZATION.

(B) NO LIABILITY.

THE WARDEN OR THE WARDEN'S DESIGNEES MAY NOT BE HELD LIABLE FOR AUTHORIZING MEDICAL TREATMENT UNDER THIS SECTION IN GOOD FAITH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 700H.

In subsection (a) of this section, the former reference to a juvenile inmate "of the jail" is deleted as implicit in the reference to a "juvenile inmate".