

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (a) of this section is inconsistent with similar provisions relating to the Division of Correction, local correctional facilities, and the Patuxent Institution. Under §§ 4-210 and 9-606 of this article, the managing official of a correctional facility may authorize treatment for a juvenile inmate only "[o]n the recommendation of a health care provider". The General Assembly may wish to amend subsection (a) of this section to include a similar requirement.

The Correctional Services Article Review Committee also notes, for consideration by the General Assembly, that the meaning of subsection (b) of this section is unclear in light of SG § 12-105 and CJ § 5-522(b), which grant immunity from liability to State personnel. Under SG § 12-105 and CJ § 5-522(b), State personnel are immune from suit in State courts and from liability in tort for a tortious act or omission that is within the scope of the public duties of the State personnel and is made without malice or gross negligence. The Committee is uncertain as to whether subsection (b) of this section establishes any additional protection against liability for the Director or the Director's designee. The General Assembly may wish to examine this issue. See also § 4-210(b) of this article.

Defined term: "Inmate" § 1-101

#### GENERAL REVISOR'S NOTE TO TITLE:

Former Art. 41, §§ 4-1411 through 4-1413 are transferred to the Session Laws.

### TITLE 6. PAROLE AND PROBATION.

#### SUBTITLE 1. DIVISION OF PAROLE AND PROBATION.

##### 6-101. DEFINITIONS.

###### (A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection formerly was Art. 41, § 4-602A(a)(1).

No changes are made.

###### (B) COMMISSION.

"COMMISSION" MEANS THE MARYLAND PAROLE COMMISSION.

REVISOR'S NOTE: This subsection formerly was Art. 41, § 4-602A(a)(2).

No changes are made.

###### (C) CRIME OF VIOLENCE.