



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

June 24, 2022

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Governmental
Operations Committee
Room 241 House Office Building
Annapolis, MD 21401-1991

**RE: Report required by State Finance and Procurement §10-309(h) and Senate Bill 577,
Chapter 305, Acts of 2014 – Maryland Department of Health – State Facilities - Cemeteries**

Dear Chairs Kelley and Peña-Melnyk:

The Maryland Department of Health (MDH) respectfully submits this annual report on the perpetual care of cemeteries, pursuant to State Finance and Procurement §10-309(h) and Senate Bill 577, Chapter 305, Acts of 2014.

This report, which covers calendar year 2021, addresses MDH's obligation to report annually on the implementation and provision of perpetual care to cemeteries located on the grounds of a state facility. Of note, no changes occurred in the perpetual care of the cemeteries since the last annual report was submitted (2017), so this report also serves as an update for 2018 through present.

If you have any questions or need more information on this subject, please contact Ms. Heather Shek, Director of the Office of Governmental Affairs at 410-767-5282.

Sincerely,

Dennis Schrader
Secretary

cc: Atif Chaudhry, Deputy Secretary, Operations
Will Andalora, Director, Office of Facilities Management and Development
Alison Barry, Deputy Director, Office of Facilities Management and Development
Sara Barra, Chief of Staff, Operations
Heather Shek, Director, Office of Governmental Affairs
Sarah Albert, Department of Legislative Services, 5 copies (MSAR # 10166)

MARYLAND DEPARTMENT OF HEALTH
ANNUAL REPORT
PERPETUAL CARE OF CEMETERIES

During the 2014 legislative session, the General Assembly passed Senate Bill 577 (Chapter 305 of the Acts of 2014), which amended §10-309 of the State Finance and Procurement Article to require that the Maryland Department of Health (MDH) submit an annual report on MDH cemeteries. This report must include the status of perpetual care provided at each cemetery owned by MDH. MDH submits this annual report for Calendar Year 2021 regarding the perpetual care of cemeteries owned and maintained by MDH.

State Facilities with Cemeteries

State Finance and Procurement Article §10-309(a)(3) defines “State Facility” as those State facilities listed in Health-General Article §10-406. This includes five State facilities owned by MDH that have cemeteries:

- Crownsville Hospital Center
- Rosewood Center
- Eastern Shore Hospital Center
- Spring Grove Hospital Center
- Springfield Hospital Center

Further, State Finance and Procurement Article §10-309 (b) states that “a cemetery owned by the State and located on the grounds of a State facility may not be sold by the State if the State facility is downsized, consolidated, closed or sold.” Two facilities, Crownsville Hospital Center and Rosewood Center have been closed; however, both remain under MDH ownership. The Eastern Shore Hospital Center was relocated, and the original hospital site sold. Spring Grove Hospital Center and Springfield Hospital Center are fully operational psychiatric facilities and remain in State ownership. In all cases the cemeteries remain under the ownership of the State.

Perpetual Care

State Finance and Procurement Article §10-309 requires that “a cemetery owned by the State and located on the grounds of a State Facility shall be provided perpetual care and marked with a monument commemorating the individuals interred in the cemetery.” “Perpetual care” is defined as “the maintenance, including the cutting of grass abutting memorials or monuments, administration, supervision, and embellishment of a cemetery and its grounds, roads, and paths” and includes “the repair and renewal of buildings, including columbaria and mausoleums, and the property of the cemetery.”

The statute further requires MDH to consult with the Maryland Historic Trust (MHT), in accordance with the consultation provisions found in §§ 5A-525 and 5A-326(d)(2) of the State Finance and Procurement Article, before undertaking any "perpetual care" projects for a cemetery located on the grounds of a State facility. Sections 5A-525 and 5A-326(d)(2) require a unit to consult with MHT prior to undertaking projects or issuing permits or licenses for projects that might "adversely affect any property listed in or eligible for listing in the Historic Register."

MDH has consulted with MHT on MDH’s compliance of perpetual care of cemeteries located on the property of State facilities. However, MHT advised that perpetual care, as defined in SB577, was unlikely

to adversely affect listed or eligible property, and therefore consultation regarding such activities is not required.

2021 Annual Report on Perpetual Care

Crownsville Hospital Center Cemetery

Originally called the “Asylum for the Negro Insane,” the first burial in the Crownsville cemetery was occurred in 1926 and the last burial in 1958. It is estimated that 3,000 individuals were interred in the cemetery. MDH has an agreement with the Anne Arundel County Department of Recreation and Parks to provide grass cutting services for the cemetery. MDH has worked closely with MHT to survey the cemetery and establish a maintenance plan to protect the site. The cemetery has a memorial maker dedicated to the individuals interred at the cemetery.

Rosewood Center Cemetery

The former Rosewood Center was established in 1888 as the “Asylum and Training Center for the Feeble Minded” and operated as a State facility for more than 120 years in Baltimore County. MDH has an agreement with St. Thomas Episcopal Church to maintain the Rosewood Cemetery, which is directly adjacent to the Church cemetery. Although the cemetery is landlocked, there is a perpetual easement for access across former Rosewood property. There is no commemorative marker at the cemetery.

Eastern Shore Hospital Center Cemetery

Eastern Shore Hospital Center (ESHC), established in 1912, was originally located on Route 50 in Cambridge. However, in 2001 ESHC relocated to Woods Road in Cambridge, MD. With the exception of the ESHC Cemetery, the entire original campus was sold to the Hyatt Regency Hotel. The Hyatt Regency Hotel maintains the ESHC Cemetery and provides perpetual care. There is also a commemorative marker at the cemetery dedicated to the individuals interred at the cemetery.

Springfield Hospital Center Cemetery (Sunnyside)

Springfield Hospital Center was first opened in 1896 and continues to serve the mental health needs of the citizens of the State of Maryland. Springfield Hospital Center is a fully operational psychiatric facility. The cemetery, known as Sunnyside, is maintained by the hospital. There is a commemorative maker dedicated to the individuals interred at the cemetery.

Spring Grove Hospital Center Cemetery

Spring Grove Hospital Center was founded in 1797 and is the second oldest continuously operating psychiatric hospital in the United States. Spring Grove Hospital Center is a fully operational psychiatric facility. The Hospital maintains the cemetery located on the grounds of the hospital. There is no commemorative marker.