

**MARYLAND DEPARTMENT OF HEALTH  
ANNUAL REPORT  
PERPETUAL CARE OF CEMETERIES**

**2022**

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 the 2022 annual report regarding the perpetual care of cemeteries owned and maintained by MDH.

### **State Facilities with Cemeteries**

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

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

Further, §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” unless under §10-309 “(f) Notwithstanding subsections (b) and (e) of this section, a cemetery or an easement or right of entry to a cemetery owned by the State and located on the grounds of a State facility may be sold by the State if the deed for the property includes a restrictive covenant requiring the owner and any future owner to maintain the cemetery as provided under subsection (c) of this section.” Two facilities, Crownsville Hospital Center and Rosewood Center have been closed; Rosewood Center remains under MDH ownership. Crownsville Hospital Center has been transferred and sold to Anne Arundel County and the Deed documenting the transfer contains language to confirm with State Finance and Procurement §10-309(f). The Eastern Shore Hospital Center was relocated, and the original hospital site was sold. Spring Grove Hospital Center and Springfield Hospital Center are fully operational psychiatric facilities. Spring Grove Hospital Center has been transferred to the University of Maryland, Baltimore County (“UMBC”) and maintains a ten (10) year leaseback with (2) two (5) five-year renewal options, which places the responsibility of the care of cemetery with the Maryland Department of Health. Once MDH vacates the property, UMBC will become responsible for the perpetual care of the cemetery as required under State Finance and Procurement §10-309(f). Springfield Hospital Center and remain in State ownership. In all cases except Crownsville Hospital Center, the cemeteries remain under the care of the State.

### **Perpetual Care**

Section 10-309 of the State Finance and Procurement 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.”

This 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 before 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 with the 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.

## **2022 Annual Report on Perpetual Care**

### **Crownsville Hospital Center Cemetery**

Originally called the "Asylum for the Negro Insane," the first burial in the Crownsville cemetery occurred in 1926, and the last burial in 1958. It is estimated that 3,000 individuals were interred in the cemetery. MDH sold the property to Anne Arundel County in 2022 and pursuant to the Deed, Anne Arundel County is responsible for the perpetual care of the cemetery. 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 the 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 ("SGHC") was founded in 1797 and is the second oldest continuously operating psychiatric hospital in the United States. The Spring Grove Hospital Center campus was transferred to the University of Maryland, Baltimore County in 2022. MDH maintains a leaseback agreement with UMBC and continues to operate the facility. Once MDH vacates the property, UMBC will be responsible for the perpetual care of the cemetery. Currently, SGHC maintains the cemetery located on the grounds of the hospital. There is no commemorative marker.