

# SENATE BILL 79

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3lr0017

(PRE-FILED)

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By: **Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

Requested: October 4, 2012

Introduced and read first time: January 9, 2013

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Advisory Councils – Renaming**  
3 **and Termination**

4 FOR the purpose of renaming the State Advisory Council on Heart Disease and Stroke  
5 to be the State Advisory Council on Chronic Disease; altering the duties and the  
6 membership of the Advisory Council; altering the length of a member's term  
7 and the number of times the Advisory Council must meet each year; authorizing  
8 the Advisory Council to create certain subcommittees; repealing certain  
9 provisions of law that establish and govern the State Advisory Council on  
10 Physical Fitness and the State Advisory Council on Arthritis and Related  
11 Diseases; specifying the terms of the initial members of the State Advisory  
12 Council on Chronic Disease; repealing and altering certain definitions; making  
13 certain conforming changes; and generally relating to advisory councils in the  
14 Department of Health and Mental Hygiene.

15 BY repealing and reenacting, with amendments,  
16 Article – Health – General  
17 Section 13–201 through 13–206 to be under the amended subtitle “Subtitle 2.  
18 Chronic Disease Programs”; and 13–502  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2012 Supplement)

21 BY repealing  
22 Article – Health – General  
23 Section 13–401 through 13–410 and the subtitle “Subtitle 4. Physical Fitness”;  
24 and 13–505 through 13–509  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY renumbering  
 2 Article – Health – General  
 3 Section 13–510, 13–511, and 13–512, respectively  
 4 to be Section 13–505, 13–506, and 13–507, respectively  
 5 Annotated Code of Maryland  
 6 (2009 Replacement Volume and 2012 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article – Health – General**

10 Subtitle 2. [Heart Disease and Stroke Prevention] **CHRONIC DISEASE** Programs.  
 11 13–201.

12 In this subtitle, “Advisory Council” means the State Advisory Council on [Heart  
 13 Disease and Stroke] **CHRONIC DISEASE**.

14 13–202.

15 There is a State Advisory Council on [Heart Disease and Stroke] **CHRONIC**  
 16 **DISEASE**.

17 13–203.

18 (a) (1) The Advisory Council consists of 24 members appointed by the  
 19 Governor.

20 (2) Of the 24 Advisory Council members:

21 (i) Except as provided in paragraph (4) of this subsection, 1  
 22 member shall be appointed from a list of qualified individuals submitted to the  
 23 Governor by each of the following organizations:

- 24 1. The American Heart Association – Mid–Atlantic, Inc.;
- 25 2. The Department;
- 26 3. The Johns Hopkins [Medical Institutions]  
 27 **UNIVERSITY**;
- 28 4. The Maryland Association of County Health Officers;
- 29 [5. The Maryland Hospital Association, Inc.;



1                   1.     **TWO INDIVIDUALS WITH A CHRONIC DISEASE OR**  
2 **FAMILY MEMBERS OF AN INDIVIDUAL WITH A CHRONIC DISEASE;**

3                   2.     **TWO HEALTHCARE PROVIDERS;**

4                   3.     **TWO INDIVIDUALS WITH A PHYSICAL FITNESS**  
5 **BACKGROUND;**

6                   4.     **ONE EMPLOYER OR REPRESENTATIVE OF THE**  
7 **BUSINESS SECTOR;**

8                   5.     **ONE HEALTH INSURER REPRESENTATIVE; AND**

9                   6.     **ONE INDIVIDUAL WITH A CHRONIC OBSTRUCTIVE**  
10 **PULMONARY DISEASE BACKGROUND.**

11                 (3)     The number of names on a list shall be **UP TO 3**.

12                 (4)     If a vacancy occurs for a reason other than expiration of the term,  
13 the Governor may appoint any individual without the list.

14                 (b)     (1)     The term of a member is **[4] 2** years.

15                 (2)     The terms of **[16 of the]** members are staggered as required by the  
16 terms provided for members of the Advisory Council as of July 1, **[1982] 2013**.

17                 **[(3)]**     The terms of eight of the members are staggered as required by the  
18 terms provided as of July 1, 2001.

19                 **[(4)] (3)**     At the end of a term, a member continues to serve until a  
20 successor is appointed and qualifies.

21                 **[(5)] (4)**     A member who is appointed after a term has begun serves  
22 only for the rest of the term and until a successor is appointed and qualifies.

23                 **[(6)] (5)**     A member who serves 2 consecutive full **[4-year] 2-YEAR**  
24 terms may not be reappointed for 4 years after the completion of those terms.

25                 **[(7)] (6)**     If a vacancy occurs, the Governor promptly shall appoint a  
26 successor.

27 13–204.

28                 (a)     The members present at a meeting are a quorum to do business.

1 (b) The Advisory Council shall meet at least [twice] **FOUR TIMES** a year, at  
2 the times and places that it determines.

3 (c) **THE ADVISORY COUNCIL MAY CREATE SUBCOMMITTEES AS IT**  
4 **DETERMINES TO ORGANIZE ITS WORK.**

5 [(c)] (D) A member of the Advisory Council:

6 (1) May not receive compensation; but

7 (2) Is entitled to reimbursement for expenses under the Standard  
8 State Travel Regulations, as provided in the State budget.

9 [(d)] (E) The Secretary shall designate the staff necessary to carry out this  
10 subtitle.

11 13–205.

12 The Advisory Council[:

13 (1) Shall develop and] **SHALL** promote [educational]  
14 **EVIDENCE–BASED** programs [in] **FOR** the prevention, early detection, and treatment  
15 of [heart disease and stroke] **CHRONIC DISEASE**, targeted to high–risk populations  
16 and to geographic areas where there is a high incidence of [heart disease and stroke]  
17 **CHRONIC DISEASE**]; and

18 (2) May use existing programs and groups for this purpose].

19 13–206.

20 (a) (1) The Advisory Council shall [recommend that the Department  
21 establish guidelines for the effective management and treatment of heart disease and  
22 stroke] **MAKE RECOMMENDATIONS TO THE DEPARTMENT RELATED TO CHRONIC**  
23 **DISEASE.**

24 (2) These [guidelines] **RECOMMENDATIONS** shall cover:

25 (i) Primary prevention;

26 (ii) Detection;

27 [(iii) Case finding;

28 (iv)] (III) Diagnosis;

- 1                    [(v) Diagnostic workup;
- 2                    (vi)] (IV) Therapy;
- 3                    [(vii)] (V) [Long term] **LONG-TERM** management; and
- 4                    [(viii)] (VI) Any other services that the Advisory Council thinks
- 5 should be covered.

6            (b) [A State or county health department that carries out heart disease and

7 stroke prevention, education, and treatment programs shall conform to the guidelines

8 established under subsection (a) of this section.

9            (c)] Once every 2 years, the Advisory Council shall:

10                    (1) Evaluate [heart disease and stroke] **CHRONIC DISEASE**

11 prevention, education, and treatment programs; and

12                    (2) Send the evaluation with a report to the Governor.

13 13-502.

14            [(a)] In this subtitle, [the following words have the meanings indicated.

15            (b) “Advisory Council” means the State Advisory Council on Arthritis and

16 Related Diseases.

17            (c)] “Program” means the Arthritis Prevention and Control Program.

18            SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 13-401

19 through 13-410 and the subtitle “Subtitle 4. Physical Fitness”; and 13-505 through

20 13-509 of Article – Health – General of the Annotated Code of Maryland be repealed.

21            SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 13-510,

22 13-511, and 13-512, respectively, of Article – Health – General of the Annotated Code

23 of Maryland be renumbered to be Section(s) 13-505, 13-506, and 13-507, respectively.

24            SECTION 4. AND BE IT FURTHER ENACTED, That the terms of the

25 members serving on the State Advisory Council on Heart Disease and Stroke on June

26 30, 2013, shall expire effective July 1, 2013. The terms of the initial members of the

27 State Advisory Council on Chronic Disease shall expire as follows:

28                    (1) 12 members in 2014; and

29                    (2) 12 members in 2015.

1           SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    July 1, 2013.