

SENATE BILL 881

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CF HB 869

By: **Senator Middleton**

Introduced and read first time: February 8, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Community Health Resources Commission – Revisions**

3 FOR the purpose of authorizing the Community Health Resources Commission to
4 contract with a certain third party for certain services; prohibiting a certain
5 third party from releasing, publishing, or similarly using certain information;
6 providing that the power of the Secretary of Health and Mental Hygiene over a
7 certain procurement procedure does not apply to the Commission; providing
8 that, when procuring services or supplies, the Commission is subject to certain
9 provisions of law; altering the purposes for which the Community Health
10 Resources Commission Fund may be used; and generally relating to the
11 Community Health Resources Commission.

12 BY repealing and reenacting, without amendments,
13 Article – Health – General
14 Section 19–2101(c) and 19–2201(a)
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2012 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Health – General
19 Section 19–2107 and 19–2201(e)(1)
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2012 Supplement)

22 BY adding to
23 Article – Health – General
24 Section 19–2108(c)
25 Annotated Code of Maryland
26 (2009 Replacement Volume and 2012 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 19–2101.

5 (c) “Commission” means the Maryland Community Health Resources
6 Commission.

7 19–2107.

8 (a) In addition to the powers set forth elsewhere in this subtitle, the
9 Commission may:

10 (1) Adopt regulations to carry out the provisions of this subtitle;

11 (2) Create committees from among its members;

12 (3) Appoint advisory committees, which may include individuals and
13 representatives of interested public or private organizations;

14 (4) Apply for and accept any funds, property, or services from any
15 person or government agency;

16 (5) Make agreements with a grantor or payor of funds, property, or
17 services, including an agreement to make any study, plan, demonstration, or project;

18 (6) Publish and give out any information that relates to expanding
19 access to health care through community health resources that is considered desirable
20 in the public interest;

21 (7) Subject to the limitations of this subtitle, exercise any other power
22 that is reasonably necessary to carry out the purposes of this subtitle; and

23 (8) Assist community health resources in preparing to implement the
24 Affordable Care Act.

25 (b) In addition to the duties set forth elsewhere in this subtitle, the
26 Commission shall:

27 (1) Adopt rules and regulations that relate to its meetings, minutes,
28 and transactions;

29 (2) Keep minutes of each meeting;

1 (3) Prepare annually a budget proposal that includes the estimated
2 income of the Commission and proposed expenses for its administration and operation;
3 and

4 (4) On or before October 1 of each year, submit to the Governor, to the
5 Secretary, and, in accordance with § 2-1246 of the State Government Article, to the
6 General Assembly an annual report on the operations and activities of the Commission
7 during the preceding fiscal year.

8 **(c) (1) THE COMMISSION MAY CONTRACT WITH A QUALIFIED,
9 INDEPENDENT THIRD PARTY FOR ANY SERVICE THAT IS NECESSARY TO CARRY
10 OUT THE POWERS AND DUTIES OF THE COMMISSION.**

11 **(2) UNLESS PERMISSION IS GRANTED SPECIFICALLY BY THE
12 COMMISSION, A THIRD PARTY WITH WHOM THE COMMISSION CONTRACTS
13 UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT RELEASE, PUBLISH, OR
14 USE IN A MANNER NOT AUTHORIZED BY THE CONTRACT ANY INFORMATION TO
15 WHICH THE THIRD PARTY HAS ACCESS UNDER THE CONTRACT.**

16 19-2108.

17 **(c) (1) THE POWER OF THE SECRETARY OVER THE PROCUREMENT
18 PROCEDURE FOR UNITS IN THE DEPARTMENT DOES NOT APPLY TO THE
19 PROCUREMENT PROCEDURE OF THE COMMISSION.**

20 **(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION,
21 WHEN PROCURING SERVICES OR SUPPLIES, THE COMMISSION IS SUBJECT TO
22 THE PROVISIONS OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

23 19-2201.

24 (a) In this section, "Fund" means the Community Health Resources
25 Commission Fund.

26 (e) (1) The Fund may be used only to:

27 (i) Cover the administrative costs of the Commission;

28 (ii) Cover the actual documented direct costs of fulfilling the
29 statutory and regulatory duties of the Commission in accordance with the provisions of
30 this subtitle;

31 (iii) Provide operating grants to qualifying community health
32 resources; [and]

1 (iv) Provide funding for the development, support, and
2 monitoring of a unified data information system among primary and specialty care
3 providers, hospitals, and other providers of services to community health resource
4 members; **AND**

5 **(v) PROVIDE FUNDING FOR ANY OTHER PROJECT OR**
6 **INITIATIVE APPROVED BY THE COMMISSION THAT INCREASES ACCESS TO**
7 **HEALTH CARE OR REDUCES HEALTH DISPARITIES IN THE STATE.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2013.