

HOUSE BILL 1502

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8lr3215

By: **Delegates Lam, Angel, Barron, Cullison, Morales, Pena–Melnyk, Pendergrass, Platt, Rosenberg, Sample–Hughes, and K. Young**

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Health – Deputy Secretaries – Duties and**
3 **Qualifications**

4 FOR the purpose of establishing the oversight responsibilities for the Deputy Secretary for
5 Behavioral Health, the Deputy Secretary for Health Care Financing, the Deputy
6 Secretary for Operations, and the Deputy Secretary for Developmental Disabilities;
7 providing that the deputy secretaries must have certain experience; providing that
8 the Deputy Secretary for Public Health Services must be a certain health care
9 practitioner; requiring the Deputy Secretary for Health Care Financing to make a
10 certain appointment to the State Traumatic Brain Injury Advisory Board; and
11 generally relating to the deputy secretaries in the Maryland Department of Health.

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 2–103(a) and 13–2103(11)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2017 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Health – General
19 Section 13–2101
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2017 Supplement)

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

24 **Article – Health – General**

25 2–103.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) With the approval of the Governor, the Secretary shall appoint the
2 following five deputy secretaries:

- 3 (i) The Deputy Secretary for Behavioral Health;
- 4 (ii) The Deputy Secretary for Health Care Financing;
- 5 (iii) The Deputy Secretary for Operations;
- 6 (iv) The Deputy Secretary for Public Health Services; and
- 7 (v) The Deputy Secretary for Developmental Disabilities.

8 **(2) (I) THE DEPUTY SECRETARY FOR BEHAVIORAL HEALTH**
9 **SHALL OVERSEE THE PUBLIC MENTAL HEALTH SYSTEM INCLUDING THE STATE**
10 **HOSPITALS SERVING INDIVIDUALS WITH MENTAL HEALTH OR SUBSTANCE USE**
11 **DISORDERS.**

12 **(II) THE DEPUTY SECRETARY FOR HEALTH CARE FINANCING**
13 **SHALL OVERSEE THE OFFICE OF HEALTH SERVICES AND THE MARYLAND MEDICAL**
14 **ASSISTANCE PROGRAM.**

15 **(III) THE DEPUTY SECRETARY FOR OPERATIONS SHALL**
16 **OVERSEE THE OFFICE OF POLICY, REGULATIONS, AND COMMUNICATIONS, THE**
17 **OFFICE OF POLICE, THE OFFICE OF FINANCE, INCLUDING THE OFFICE OF CAPITAL**
18 **PLANNING, LEGISLATION, STATE FACILITIES NOT OVERSEEN BY OTHER DEPUTY**
19 **SECRETARIES, AND FINANCING, AND ENTERPRISE SHARED SERVICES, INCLUDING**
20 **THE OFFICE OF INFORMATION TECHNOLOGY, THE OFFICE OF HUMAN RESOURCES,**
21 **AND THE OFFICE OF ENTERPRISE TRANSFORMATION.**

22 **(IV) THE DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES**
23 **SHALL OVERSEE THE LABORATORIES ADMINISTRATION, THE OFFICE OF CHIEF**
24 **MEDICAL EXAMINER, CHRONIC CARE HOSPITALS, LOCAL HEALTH DEPARTMENTS,**
25 **THE STATE ANATOMY BOARD, THE OFFICE OF HEALTH CARE QUALITY, THE**
26 **OFFICE OF POPULATION HEALTH IMPROVEMENT, THE OFFICE OF PREPAREDNESS**
27 **AND RESPONSE, AND THE PREVENTION AND HEALTH PROMOTION**
28 **ADMINISTRATION.**

29 **(V) THE DEPUTY SECRETARY FOR DEVELOPMENTAL**
30 **DISABILITIES SHALL OVERSEE THE POLICY GOVERNING AND PROGRAMS SERVING**
31 **INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, INCLUDING THE STATE**
32 **FACILITIES SERVING INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.**

1 ~~[(2)] (3)~~ The deputy secretaries serve at the pleasure of the Secretary.

2 ~~[(3)] (4)~~ The deputy secretaries are entitled to the salary provided in the
3 State budget.

4 ~~[(4)] (5)~~ The deputy secretaries have the duties provided by law or
5 delegated by the Secretary.

6 **(6) (I) EACH DEPUTY SECRETARY MUST HAVE AT LEAST 5 YEARS**
7 **OF MANAGEMENT EXPERIENCE IN THE FIELD THE DEPUTY DIRECTOR WILL OVERSEE**
8 **AS DEPUTY DIRECTOR.**

9 **(II) THE DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES**
10 **MUST BE A HEALTH CARE PRACTITIONER LICENSED UNDER THE HEALTH**
11 **OCCUPATIONS ARTICLE.**

12 13–2101.

13 In this subtitle, “Advisory Board” means the State Traumatic Brain Injury Advisory
14 Board.

15 13–2103.

16 The Advisory Board consists of the following 36 voting members:

17 (11) One representative of the Maryland Department of Health, Office of
18 Health Services, appointed by the [Director of the Office] **DEPUTY SECRETARY OF**
19 **HEALTH CARE FINANCING;**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2018.