

SENATE BILL 105

J1

8lr0045

(PRE-FILED)

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

Requested: September 26, 2017

Introduced and read first time: January 10, 2018

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: January 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **State Advisory Council on Hereditary and Congenital Disorders – Membership**
3 **and Appointments**

4 FOR the purpose of altering the membership of the State Advisory Council on Hereditary
5 and Congenital Disorders; requiring that the Secretary of Health, rather than the
6 Governor, make appointments to the Advisory Committee; prohibiting the Secretary
7 from making certain appointments until a certain term expires or unless a seat is
8 vacant; and generally relating to the State Advisory Council on Hereditary and
9 Congenital Disorders.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 13–104
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2017 Supplement)

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

17 **Article – Health – General**

18 13–104.

19 (a) (1) The Advisory Council consists of 11 voting members and [5] 4

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 nonvoting members.

2 (2) Of the 11 voting members:

3 (i) 1 shall be a member of the Senate appointed by the President of
4 the Senate;

5 (ii) 1 shall be a member of the House of Delegates appointed by the
6 Speaker of the House;

7 (iii) 4 shall be professional individuals in the field of hereditary or
8 congenital disorders appointed by the [Governor] **SECRETARY**; and

9 (iv) 5 shall be individuals appointed by the [Governor] **SECRETARY**,
10 none of whom may be:

11 1. A health professional or spouse of a health professional; or

12 2. An individual or spouse of an individual involved in the
13 administration or ownership of any health care institution or health insurance
14 organization.

15 (3) (i) Except as provided in subparagraph (iv) of this paragraph, the
16 [Governor] **SECRETARY** shall appoint 1 professional member from a list of qualified
17 individuals submitted to the [Governor] **SECRETARY** by each of the following
18 organizations:

19 1. [The Monumental City Medical Society] **CHILDREN'S**
20 **NATIONAL HEALTH SYSTEM**;

21 2. The Medical and Chirurgical Faculty of the State of
22 Maryland;

23 3. The faculty of the University of Maryland School of
24 Medicine; and

25 4. The faculties of the Johns Hopkins Medical Institutions.

26 (ii) The number of names on a list shall be 3.

27 (iii) An organization shall submit its list:

28 1. At least 3 months before the expiration of the term of the
29 professional member who represents the organization; and

30 2. If a vacancy is for a reason other than expiration of the

1 term, at any time before the [Governor] **SECRETARY** makes the appointment, if the
2 organization complies with the reasonable request of the [Governor] **SECRETARY** for the
3 list.

4 (iv) If a list is not submitted to the [Governor] **SECRETARY** as
5 required under subparagraph (iii) of this paragraph, within 3 months after a request is
6 made by the [Governor] **SECRETARY**, the [Governor] **SECRETARY** may appoint any
7 professional individual who meets the requirements under subsection (b) of this section.

8 (4) [Of the 5] **THE 4** nonvoting members[:

9 (i) 1 shall be a representative of the State Health Planning and
10 Development Agency, appointed by the Secretary; and

11 (ii) 4] shall be representatives of the Department, appointed by the
12 Secretary.

13 (b) Each professional individual selected for the Advisory Council shall be
14 knowledgeable in the diagnosis and treatment of hereditary and congenital disorders.

15 (c) (1) The term of a voting member is 4 years.

16 (2) The terms of the voting members are staggered as required by the terms
17 provided for voting members of the Advisory Council on July 1, 1982. The terms of those
18 members end as follows:

19 (i) 3 in 1983;

20 (ii) 3 in 1984;

21 (iii) 3 in 1985; and

22 (iv) 2 in 1986.

23 (3) At the end of a term, a voting member continues to serve until a
24 successor is appointed and qualifies.

25 (4) A voting member who is appointed after a term has begun serves only
26 for the rest of the term and until a successor is appointed and qualifies.

27 (5) A voting member who serves 2 consecutive full 4-year terms may not
28 be reappointed for 4 years after completion of those terms.

29 (6) When a vacancy occurs, a successor shall be appointed promptly.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health may

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1 not appoint voting members to the State Advisory Council on Hereditary and Congenital
2 Disorders until the term of a voting member serving on the Advisory Council on the
3 effective date of this Act has expired or unless the voting member's seat is vacant.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.