

Chapter 219

(Senate Bill 727)

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

FOR the purpose of establishing the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program; requiring the Maryland Department of Health to administer the Program; authorizing the Department to adopt certain regulations; providing for the purpose and goals of the Program; authorizing local fire departments and volunteer fire companies and departments to apply to the Department for certain grants; requiring a county in which a volunteer fire company or department is located to assist volunteer companies or departments in filing certain applications; requiring the Department to issue a request for certain applications for grants each year; specifying the contents of the application; requiring the Department to develop a certain weighting formula; requiring the Department to prioritize awarding grants to certain applicants; requiring the Department to award the grants on a pro rata basis under certain circumstances; requiring the Governor, for certain fiscal years, to include certain appropriations of money in the annual budget bill for the Program; providing that certain appropriations and expenditures are subject to audit by the Office of Legislative Audits; requiring the Department to report to certain committees of the General Assembly on or before a certain date each year; defining a certain term; and generally relating to the Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program.

BY adding to

Article – Health – General

Section 13–3901 through 13–3907 to be under the new subtitle “Subtitle 39. Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program”

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

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

Article – Health – General**SUBTITLE 39. PROFESSIONAL AND VOLUNTEER FIREFIGHTER INNOVATIVE CANCER SCREENING TECHNOLOGIES PROGRAM.****13–3901.**

IN THIS SUBTITLE, “PROGRAM” MEANS THE PROFESSIONAL AND VOLUNTEER FIREFIGHTER INNOVATIVE CANCER SCREENING TECHNOLOGIES PROGRAM.

13-3902.

(A) THERE IS A PROFESSIONAL AND VOLUNTEER FIREFIGHTER INNOVATIVE CANCER SCREENING TECHNOLOGIES PROGRAM IN THE DEPARTMENT.

(B) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

(C) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

13-3903.

(A) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO LOCAL FIRE DEPARTMENTS AND VOLUNTEER FIRE COMPANIES AND DEPARTMENTS TO PROCURE INNOVATIVE CANCER SCREENING TESTS THAT ARE NOT OTHERWISE CONDUCTED DURING ROUTINE PHYSICAL EXAMINATIONS OR COVERED BY INSURANCE TO PROFESSIONAL FIREFIGHTERS EMPLOYED BY A LOCAL FIRE DEPARTMENT AND VOLUNTEER FIREFIGHTERS WHO SERVE IN A VOLUNTEER FIRE COMPANY OR DEPARTMENT.

(B) THE GOAL OF THE PROGRAM IS TO REDUCE CANCER MORTALITY AMONG PROFESSIONAL AND VOLUNTEER FIREFIGHTERS WHILE ADVANCING THE ADOPTION OF NOVEL TECHNOLOGIES THAT MAY ALSO BENEFIT THE HEALTH OF MARYLANDERS AND THE ECONOMY OF THE STATE.

13-3904.

(A) (1) A LOCAL FIRE DEPARTMENT OR A VOLUNTEER FIRE COMPANY OR DEPARTMENT MAY APPLY TO THE DEPARTMENT FOR A GRANT UNDER THE PROGRAM.

(2) THE COUNTY IN WHICH A VOLUNTEER FIRE COMPANY OR DEPARTMENT IS LOCATED SHALL ASSIST VOLUNTEER FIRE COMPANIES OR DEPARTMENTS IN FILING APPLICATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(B) EACH YEAR, THE DEPARTMENT SHALL ISSUE A REQUEST FOR APPLICATIONS FROM LOCAL FIRE DEPARTMENTS AND VOLUNTEER FIRE COMPANIES OR DEPARTMENTS FOR GRANTS OFFERED UNDER THE PROGRAM.

(C) AN APPLICATION SUBMITTED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL INCLUDE, AT MINIMUM:

(1) THE NAMES AND QUALIFICATIONS OF COMPETENT HEALTH CARE PROVIDERS THAT ARE ADVISING THE APPLICANT ON THE SELECTION AND ADMINISTRATION OF CANCER SCREENING TESTS;

(2) THE NUMBER OF FIREFIGHTERS PROPOSED TO BE SCREENED AND THE CRITERIA FOR SELECTING THOSE FIREFIGHTERS THAT THE APPLICANT HAS DETERMINED TO BE AT THE HIGHEST CANCER RISK BASED ON THE LATEST SCIENTIFIC AND MEDICAL RESEARCH REPORTS; AND

(3) A DESCRIPTION OF EACH TEST PROPOSED TO BE PROCURED BY THE APPLICANT, INCLUDING:

(I) THE CLAIMED ACCURACY AND RELIABILITY OF THE TEST;

(II) THE SCIENTIFIC AND CLINICAL EVIDENCE SUPPORTING THE CLAIMED ACCURACY AND RELIABILITY;

(III) WHETHER THE TEST EMPLOYS INNOVATIVE OR NOVEL TECHNOLOGIES, SUCH AS DNA SEQUENCING, GENOMICS, PROTEOMICS, METABOLOMICS, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, BIG DATA ANALYTICS, OR OTHER STATE-OF-THE-ART TECHNOLOGY;

(IV) WHETHER THE TEST HAS THE ABILITY TO SIMULTANEOUSLY SCREEN FOR TWO OR MORE CANCER TYPES FOR WHICH FIREFIGHTERS HAVE A HIGHER INCIDENCE OR DEATH RATE;

(V) THE COST OF THE TEST; AND

(VI) WHETHER THE TEST IS DEVELOPED, MANUFACTURED, OR COMMERCIALIZED BY A BUSINESS ENTITY LOCATED IN THE STATE.

13-3905.

(A) THE DEPARTMENT SHALL DEVELOP A WEIGHTING FORMULA BY WHICH TO RATE EACH APPLICATION RECEIVED UNDER § 13-3904 OF THIS SUBTITLE.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL PRIORITIZE AWARDING GRANTS TO APPLICANTS BASED ON THE QUALITY OF THE APPLICATION AND THE DEGREE TO WHICH THE TESTS PROPOSED TO BE PROCURED BY THE APPLICANT MEET THE FOLLOWING CRITERIA:

(1) THE SCIENTIFIC AND CLINICAL EVIDENCE SUPPORTING THE CLAIMED ACCURACY AND RELIABILITY OF THE TEST;

(2) WHETHER THE TEST EMPLOYS INNOVATIVE OR NOVEL TECHNOLOGIES;

(3) THE ABILITY OF THE TEST TO SIMULTANEOUSLY SCREEN FOR TWO OR MORE CANCER TYPES;

(4) THE COST-EFFECTIVENESS OF THE TEST; AND

(5) WHETHER THE TEST IS DEVELOPED, MANUFACTURED, OR COMMERCIALIZED BY A BUSINESS ENTITY LOCATED IN THE STATE.

(C) IF THE DEPARTMENT RECEIVES APPLICATIONS FOR GRANTS TOTALING MORE THAN THE AMOUNT OF FUNDS APPROPRIATED FOR THE PROGRAM FOR A FISCAL YEAR, THE DEPARTMENT SHALL AWARD THE GRANTS ON A PRO RATA BASIS.

13-3906.

(A) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE AT LEAST ~~\$500,000~~ \$100,000 IN THE ANNUAL BUDGET FOR THE PROGRAM.

(B) APPROPRIATIONS AND EXPENDITURES MADE FOR THE PURPOSE OF IMPLEMENTING THE PROGRAM, INCLUDING THE USE OF ANY FUNDS RECEIVED BY A PERSON UNDER ANY COMPONENT OF THE PROGRAM, ARE SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

13-3907.

ON OR BEFORE DECEMBER 1, 2020, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON:

- (1) THE NUMBER OF INDIVIDUALS WHO HAVE BEEN SCREENED THROUGH THE PROGRAM;**
- (2) THE TYPES OF TESTS USED TO SCREEN THOSE INDIVIDUALS;**
- (3) THE COSTS OF THE TESTS; AND**
- (4) THE TYPES OF CANCERS DETECTED BY THE TESTS.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Approved by the Governor, April 30, 2019.