

HOUSE BILL 628

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0lr0735

By: **Delegates Queen, Guyton, Haynes, R. Lewis, and Lierman**

Introduced and read first time: January 29, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Primary Care Providers – Adverse Childhood Experiences**
3 **Screening**

4 FOR the purpose of establishing the Adverse Childhood Experiences Screening Grant
5 Program; specifying the purpose of the Program; requiring the Maryland
6 Department of Health to administer the Program; requiring the Department to adopt
7 certain regulations; establishing the Adverse Childhood Experiences Screening
8 Grant Program Fund as a special, nonlapsing fund; specifying the purpose of the
9 Fund; requiring the Department to administer the Fund; requiring the State
10 Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying
11 the contents of the Fund; specifying the purpose for which the Fund may be used;
12 providing for the investment of money in and expenditures from the Fund; requiring
13 the Department to establish a certain course on or before a certain date; requiring
14 that a certain course include the use of certain tools; requiring a primary care
15 provider to complete a certain course on or before a certain date and with a certain
16 frequency thereafter; requiring, beginning in a certain fiscal year, that the Governor
17 include in the annual budget bill a certain appropriation to the Department for a
18 certain purpose; requiring that the Governor include in the annual budget bill in a
19 certain fiscal year a certain appropriation to the Department for a certain purpose;
20 requiring the Department to include certain findings in a certain course under
21 certain circumstances; defining certain terms; making certain provisions of this Act
22 contingent on the taking effect of another Act; and generally relating to primary care
23 providers and screening related to adverse childhood experiences.

24 BY adding to

25 Article – Health – General

26 Section 13–801 through 13–803 to be under the new subtitle “Subtitle 8. Adverse
27 Childhood Experiences Screening Grant Program and Fund”

28 Annotated Code of Maryland

29 (2019 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Health Occupations
3 Section 1–225
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2019 Supplement)

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

8 **Article – Health – General**

9 **SUBTITLE 8. ADVERSE CHILDHOOD EXPERIENCES SCREENING GRANT PROGRAM**
10 **AND FUND.**

11 **13–801.**

12 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (B) “FUND” MEANS THE ADVERSE CHILDHOOD EXPERIENCES SCREENING
15 GRANT PROGRAM FUND.

16 (C) “PRIMARY CARE PROVIDER” HAS THE MEANING STATED IN § 1–225 OF
17 THE HEALTH OCCUPATIONS ARTICLE.

18 (D) “PROGRAM” MEANS THE ADVERSE CHILDHOOD EXPERIENCES
19 SCREENING GRANT PROGRAM.

20 **13–802.**

21 (A) THERE IS AN ADVERSE CHILDHOOD EXPERIENCES SCREENING GRANT
22 PROGRAM.

23 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO PRIMARY
24 CARE PROVIDERS WHO PROVIDE CARE FOR MINORS TO IMPLEMENT SCREENING
25 TOOLS IN THE PROVIDER’S PRACTICE TO IDENTIFY AND TREAT MINORS WHO HAVE
26 A MENTAL HEALTH DISORDER THAT IS DETERMINED TO BE CAUSED BY OR RELATED
27 TO AN ADVERSE CHILDHOOD EXPERIENCE.

28 (C) (1) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

29 (2) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT
30 THIS SUBTITLE.

1 13-803.

2 (A) THERE IS AN ADVERSE CHILDHOOD EXPERIENCES SCREENING GRANT
3 PROGRAM FUND.

4 (B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR GRANTS
5 ADMINISTERED BY THE DEPARTMENT THROUGH THE PROGRAM.

6 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

7 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
8 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

9 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
10 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

11 (E) THE FUND CONSISTS OF:

12 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
13 AND

14 (2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
15 THE BENEFIT OF THE FUND.

16 (F) THE FUND MAY BE USED ONLY TO:

17 (1) PROVIDE GRANTS TO PRIMARY CARE PROVIDERS IN ACCORDANCE
18 WITH THE REQUIREMENTS OF THE PROGRAM; AND

19 (2) PAY ANY ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE
20 PROGRAM.

21 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
22 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

23 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
24 THE GENERAL FUND OF THE STATE.

25 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
26 WITH THE STATE BUDGET.

27 Article – Health Occupations

28 1-225.

1 **(A) IN THIS SECTION, “PRIMARY CARE PROVIDER” MEANS THE FOLLOWING**
2 **HEALTH CARE PROVIDERS WHO PROVIDE PRIMARY CARE TO A PATIENT:**

3 **(1) A LICENSED PHYSICIAN;**

4 **(2) A LICENSED REGISTERED NURSE WHO PRACTICES AS A**
5 **REGISTERED NURSE PRACTITIONER; OR**

6 **(3) A LICENSED PHYSICIAN ASSISTANT.**

7 **(B) (1) ON OR BEFORE JANUARY 1, 2022, THE DEPARTMENT SHALL**
8 **DEVELOP A COURSE ON INTEGRATING MENTAL AND PHYSICAL HEALTH CARE IN A**
9 **PRIMARY CARE SETTING.**

10 **(2) THE COURSE DEVELOPED UNDER PARAGRAPH (1) OF THIS**
11 **SUBSECTION SHALL INCLUDE SCREENING TOOLS A PRIMARY CARE PROVIDER CAN**
12 **USE TO IDENTIFY AND TREAT MINORS WHO HAVE A MENTAL HEALTH DISORDER**
13 **THAT MAY BE CAUSED BY OR RELATED TO AN ADVERSE CHILDHOOD EXPERIENCE.**

14 **(C) ON OR BEFORE JULY 1, 2022, AND BY THE END OF EACH FIFTH YEAR**
15 **THEREAFTER, EACH PRIMARY CARE PROVIDER SHALL COMPLETE THE COURSE**
16 **DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION.**

17 **(D) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE**
18 **GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
19 **\$5,000,000 TO THE DEPARTMENT FOR THE PURPOSE OF CARRYING OUT THIS**
20 **SECTION.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That, for fiscal year 2022, the
22 Governor shall include in the annual budget bill an appropriation of \$45,000,000 to the
23 Adverse Childhood Experiences Screening Grant Program Fund established under §
24 13–803 of the Health – General Article, as enacted by Section 1 of this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Department of
26 Health shall include in the course on integrating mental health care in a primary care
27 setting developed under § 1–225 of the Health Occupations Article, as enacted by Section 1
28 of this Act, the following findings of the Workgroup on Screening Related to Adverse
29 Childhood Experiences convened under Chapter ____ (S.B. ____/H.B. ____)(0lr0642) of the
30 Acts of the General Assembly of 2020:

31 (1) the screening tools updated, improved, and developed by the
32 Workgroup; and

33 (2) the actions a primary care provider should take, as recommended by

1 the Workgroup.

2 SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take
3 effect July 1, 2020, contingent on the taking effect of Chapter ____ (S.B. ____/H.B.
4 ____)(0lr0642) of the Acts of the General Assembly of 2020, and if Chapter ____ (S.B.
5 ____/H.B. ____)(0lr0642) does not take effect, Section 3 of this Act, with no further action
6 required by the General Assembly, shall be null and void.

7 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2020.