

SENATE BILL 709

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2lr2656
CF HB 1367

By: **Senators Elfreth, Salling, Bailey, Beidle, Hester, Hough, Jackson, Jennings, Klausmeier, and Smith**

Introduced and read first time: February 4, 2022

Assigned to: Budget and Taxation and Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 10, 2022

CHAPTER _____

1 AN ACT concerning

2 **Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative**
3 **Therapies Fund – Establishment**
4 **(David Perez Military Heroes Act (End 22 a Day))**

5 FOR the purpose of establishing the Post-Traumatic Stress Disorder and Traumatic Brain
6 Injury Alternative Therapies Fund as a special, nonlapsing fund; and generally
7 relating to the Post-Traumatic Stress Disorder Alternative Therapies Fund.

8 BY adding to

9 Article – Health – General

10 Section 24-1801 and 24-1802 to be under the new subtitle “Subtitle 18.
11 Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative
12 Therapies Fund”

13 Annotated Code of Maryland

14 (2019 Replacement Volume and 2021 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 **SUBTITLE 18. POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN**
19 **INJURY ALTERNATIVE THERAPIES FUND.**

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 24-1801.

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "ALTERNATIVE THERAPIES" INCLUDES HYPERBARIC OXYGEN THERAPY
5 AND PSYCHEDELICS INCLUDING 3,4-METHYLENEDIOXYMETHAMPHETAMINE
6 (MDMA), PSILOCYBIN, AND KETAMINE.

7 (C) "FUND" MEANS THE POST-TRAUMATIC STRESS DISORDER AND
8 TRAUMATIC BRAIN INJURY ALTERNATIVE THERAPIES FUND.

9 (D) "VETERAN" MEANS A FORMER MEMBER OF THE FOLLOWING ENTITIES
10 WHO WAS DISCHARGED FROM ACTIVE DUTY:

11 (1) THE ARMED FORCES OF THE UNITED STATES;

12 (2) A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED
13 STATES; OR

14 (3) THE NATIONAL GUARD OF ANY STATE.

15 24-1802.

16 (A) THERE IS A POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC
17 BRAIN INJURY ALTERNATIVE THERAPIES FUND.

18 (B) THE PURPOSE OF THE FUND IS TO SUPPORT THE DEPARTMENT IN
19 STUDYING THE EFFECTIVENESS OF AND IMPROVING ACCESS TO ALTERNATIVE
20 THERAPIES FOR POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN
21 INJURIES IN VETERANS.

22 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

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

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

27 (E) THE FUND CONSISTS OF:

28 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
29 AND

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

3 (F) THE FUND MAY BE USED ONLY FOR:

4 (1) STUDYING THE USE OF ALTERNATIVE THERAPIES FOR VETERANS
5 WITH POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURIES;

6 (2) PROVIDING COST-FREE ACCESS TO ALTERNATIVE THERAPIES
7 FOR VETERANS WITH POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN
8 INJURIES;

9 (3) ANY USES DETERMINED BY THE DEPARTMENT UNDER
10 SUBSECTION (I) OF THIS SECTION; AND

11 (4) ADMINISTRATIVE EXPENSES OF THE DEPARTMENT IN
12 ADMINISTERING THE FUND.

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

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

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

19 (I) THE DEPARTMENT PERIODICALLY SHALL CONSULT WITH THE
20 DEPARTMENT OF VETERANS AFFAIRS, THE JOHNS HOPKINS UNIVERSITY, THE
21 UNIVERSITY OF MARYLAND, SHEPPARD PRATT, ~~AND~~ WALTER REED NATIONAL
22 MILITARY MEDICAL CENTER, AND BRAINFUTURES TO DETERMINE:

23 (1) THE EFFECTIVENESS OF AND A METHOD FOR IMPROVING ACCESS
24 TO ALTERNATIVE THERAPIES FOR TREATING POST-TRAUMATIC STRESS DISORDER
25 AND TRAUMATIC BRAIN INJURIES IN VETERANS; AND

26 (2) APPROPRIATE USES OF THE FUND THAT FURTHER THE FUND'S
27 PURPOSE UNDER SUBSECTION (B) OF THIS SECTION.

28 (J) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2024, THE
29 DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §
30 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A
31 REPORT ON THE USE OF THE FUND DURING THE IMMEDIATELY PRECEDING FISCAL
32 YEAR.

1 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2024, the
2 Governor shall include in the annual budget bill an appropriation in an amount of
3 \$1,000,000 to the Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative
4 Therapies Fund established under § 24-1802 of the Health – General Article, as enacted
5 by Section 1 of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Department of
7 Health shall report to the Governor and, in accordance with § 2-1257 of the State
8 Government Article, the General Assembly:

9 (1) on or before December 1, 2022, its initial findings and recommendations
10 under § 24-1802(i) of the Health – General Article, as enacted by Section 1 of this Act; and

11 (2) on or before December 1, 2024, findings and recommendations from
12 studies funded by the Post-Traumatic Stress Disorder and Traumatic Brain Injury
13 Alternative Therapies Fund established under § 24-1802 of the Health – General Article,
14 as enacted by Section 1 of this Act, including:

15 (i) any findings regarding the efficacy of alternative therapies as
16 treatment for post-traumatic stress disorder and traumatic brain injuries; and

17 (ii) recommendations on budgetary, legislative, or regulatory
18 changes to expand access to alternative therapies for veterans with post-traumatic stress
19 disorder and traumatic brain injuries.

20 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.