

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 668 (Delegate Lisanti)  
Health and Government Operations

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**Public Health – Removal of Health Officer**

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This bill requires the governing body of a county, at least 10 days prior to the date on which the governing body and the Secretary of Health concur to remove a health officer, to provide notice of the possibility of the health officer’s removal to the county’s Senate Delegation and House Delegation. If the county’s Senate and House delegations receive notice, the delegations may vote by a simple majority to support or oppose the removal at any time before the health officer is removed. A delegation vote may not be construed to require or prohibit the removal of a health officer. Any meeting of a county’s delegations related to the removal of a health officer must be closed.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect governmental operations or finances.

**Local Effect:** The bill affects the operations of a county’s governing body by requiring specified notice prior to the removal of a health officer, which may delay the removal. Expenditures and revenues are not materially affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The health officer for a county must be nominated by the county and appointed by the Secretary. The governing body of each county must establish the process for nominations and the process for making a recommendation to the Secretary (in consultation with the Secretary) for appointing a new health officer should a vacancy occur.

The process for filling a vacancy must include the requirements for recruiting, interviewing, and recommending applicants for the position of health officer.

If the Secretary finds that a health officer nominee meets the specified qualifications, the nominee must be appointed. If the Secretary finds that the nominee does not meet the qualifications, the nominee must be rejected, and the county must provide the Secretary with a new nomination.

Each health officer must have (1) a master's degree in public health and at least two years' work in the field of public health or (2) at least five years' work in the field of public health. A health officer must also meet any other qualifications and training in the field of public health as required by the Secretary by rule or regulation. A health officer is not required to be a physician if the health officer has a deputy who is a physician and meets the qualifications for a health officer. Each health officer must take a specified oath before taking office.

The health officer serves at the pleasure of the appropriate county's governing body and the Secretary. The health officer may be removed from office with the concurrence of the governing body of the appropriate county and the Secretary. All information concerning the removal of a health officer is confidential. As such, any meeting related to the removal of a health officer involving the county's governing body or that includes the Secretary must be closed.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Association of County Health Officers; Maryland Association of Counties; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2022  
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