

HOUSE BILL 51

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(PRE-FILED)

4r1238
CF SB 13

By: **Delegate Rosenberg**

Requested: October 30, 2023

Introduced and read first time: January 10, 2024

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Pediatric Cancer Fund – Modifications**

3 FOR the purpose of altering the use of the Maryland Pediatric Cancer Fund to require that
4 the Fund be used only for pediatric cancer research instead of only for pediatric
5 cancer research, prevention, and treatment; and generally relating to the Maryland
6 Pediatric Cancer Fund.

7 BY repealing and reenacting, with amendments,
8 Article – Health – General
9 Section 20–120
10 Annotated Code of Maryland
11 (2023 Replacement Volume)

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

14 **Article – Health – General**

15 20–120.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) “Fund” means the Maryland Pediatric Cancer Fund established under
18 this section.

19 (3) “Pediatric cancer research” includes research to develop and advance
20 the understanding of pediatric cancer and the techniques and modalities effective in the
21 prevention, cure, screening, and treatment of pediatric cancer.

22 (b) (1) There is a Maryland Pediatric Cancer Fund.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The Fund consists of:

2 (i) Money appropriated in the State budget to the Fund; and

3 (ii) Any donations or other money from any other source accepted for
4 the benefit of the Fund.

5 (3) The Secretary shall administer the Fund.

6 (4) The Fund shall be used only for pediatric cancer research[, prevention,
7 and treatment] as provided in subsection (c) of this section.

8 (5) The Fund shall be maintained for the purposes stated in this section
9 and unspent portions of the Fund shall remain in the Fund and may not revert to the
10 General Fund of the State.

11 (6) Money expended from the Fund for pediatric cancer research[,
12 prevention, and treatment] is supplemental and is not intended to take the place of funding
13 that would otherwise be appropriated to the Department for pediatric cancer research[,
14 prevention, and treatment].

15 (7) All expenditures from the Fund shall be made only in accordance with
16 an appropriation approved by the General Assembly in the annual State budget or through
17 an approved budget amendment under §§ 7–209 and 7–210 of the State Finance and
18 Procurement Article.

19 (8) (i) For fiscal year 2023, the Governor shall include in the annual
20 budget bill an appropriation of \$5,000,000 to the Fund.

21 (ii) If \$5,000,000 is not included in the annual budget bill for fiscal
22 year 2023, then the Governor shall include in the annual budget bill for fiscal year 2024 an
23 appropriation of \$5,000,000 to the Fund.

24 (c) (1) Each year, the Secretary may distribute not more than 5% of the Fund
25 to a promotional account to be used to promote further donations to the Fund.

26 (2) (i) After making the distribution allowed under paragraph (1) of
27 this subsection, the Secretary shall use the remainder of the Fund only to provide grants
28 to eligible physicians, hospitals, laboratories, educational institutions, and other
29 organizations and persons to conduct pediatric cancer research[, prevention, or treatment].

30 (ii) Money received from the grant program under this section may
31 not be used to pay for institutional overhead expenses, organizational expenses, or charges
32 that are not directly related to pediatric cancer research[, prevention, or treatment] or
33 expenses arising from community-based support services.

1 (d) (1) On or before August 31 each year, the Secretary shall submit a report
2 to the General Assembly, in accordance with § 2–1257 of the State Government Article, on
3 the administration of the Fund.

4 (2) The report required under this subsection shall include:

5 (i) A description of promotional efforts undertaken with money from
6 the Fund; and

7 (ii) A detailed accounting of the use of the Fund.

8 (e) The Secretary shall adopt regulations to implement a pediatric cancer grant
9 program under this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2024.