

HOUSE BILL 1293

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4lr3367
CF SB 938

By: ~~Delegate Woods~~ Delegates Woods, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Chisholm, Guzzone, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Reilly, Rosenberg, Szeliga, Taveras, and White Holland

Introduced and read first time: February 9, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2024

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of Health – Public Education Campaign on Prostate,**
3 **Lung, and Breast Cancer Prevention**

4 FOR the purpose of requiring the Maryland Department of Health to develop and
5 implement a public education campaign on prostate, lung, and breast cancer
6 prevention that targets communities disproportionately impacted by prostate, lung,
7 and breast cancer; and generally relating to the public education campaign on
8 prostate, lung, and breast cancer prevention.

9 BY adding to

10 Article – Health – General

11 Section 13–11A–01 to be under the new subtitle “Subtitle 11A. Public Education
12 Campaign on Prostate, Lung, and Breast Cancer Prevention”

13 Annotated Code of Maryland

14 (2023 Replacement Volume)

15 BY repealing and reenacting, without amendments,

16 Article – State Finance and Procurement

17 Section 7–317(a)

18 Annotated Code of Maryland

19 (2021 Replacement Volume and 2023 Supplement)

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 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 7–317(f) and (g)(3)
4 Annotated Code of Maryland
5 (2021 Replacement Volume and 2023 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 11A. PUBLIC EDUCATION CAMPAIGN ON PROSTATE, LUNG, AND**
10 **BREAST CANCER PREVENTION.**

11 **13–11A–01.**

12 **(A) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A 3–YEAR PUBLIC**
13 **EDUCATION CAMPAIGN ON PROSTATE, LUNG, AND BREAST CANCER PREVENTION**
14 **THAT TARGETS COMMUNITIES DISPROPORTIONATELY IMPACTED BY PROSTATE,**
15 **LUNG, AND BREAST CANCER.**

16 **(B) IN DEVELOPING THE PUBLIC EDUCATION CAMPAIGN, THE**
17 **DEPARTMENT SHALL WORK WITH:**

18 **(1) HEALTH CARE PROVIDERS, INCLUDING LICENSED PHYSICIANS,**
19 **WHO TREAT INDIVIDUALS IMPACTED BY PROSTATE, LUNG, AND BREAST CANCER;**

20 **(2) HOSPITALS; AND**

21 **(3) HEALTH CARE ASSOCIATIONS THAT FOCUS ON PROSTATE, LUNG,**
22 **AND BREAST CANCER.**

23 **(C) THE PUBLIC EDUCATION CAMPAIGN SHALL:**

24 **(1) PROVIDE EDUCATIONAL INFORMATION ON PROSTATE, LUNG, AND**
25 **BREAST CANCER, INCLUDING INFORMATION REGARDING:**

26 **(I) THE RISKS AND WARNING SIGNS OF PROSTATE, LUNG, AND**
27 **BREAST CANCER; AND**

28 **(II) GUIDELINES AND BEST PRACTICES TO PREVENT PROSTATE,**
29 **LUNG, AND BREAST CANCER;**

30 **(2) PROMOTE;**

1 ~~(I) PARTICIPATION IN CLINICAL TRIALS AND STUDIES FOR~~
2 ~~PROSTATE, LUNG, AND BREAST CANCER; AND~~

3 ~~(H) SCREENINGS~~ SCREENINGS FOR PROSTATE, LUNG, AND
4 BREAST CANCER; AND

5 (3) PROVIDE INFORMATION ON LEGISLATION THAT REDUCES COST
6 BARRIERS TO PREVENTION SERVICES FOR PROSTATE, LUNG, AND BREAST CANCER.

7 (D) TO IMPLEMENT THE PUBLIC EDUCATION CAMPAIGN, THE DEPARTMENT
8 SHALL:

9 (1) USE COMMUNICATIONS TOOLS AND MESSAGING;

10 (2) POST ALL MATERIALS ON THE DEPARTMENT'S WEBSITE IN A
11 CONSPICUOUS MANNER AND AN ACCESSIBLE FORMAT; AND

12 (3) DEVELOP PARTNERSHIPS WITH HEALTH AGENCIES, NONPROFIT
13 ORGANIZATIONS, AND PRIVATE ENTITIES THAT WORK WITH COMMUNITIES
14 DISPROPORTIONATELY IMPACTED BY PROSTATE, LUNG, AND BREAST CANCER.

15 (E) THE DEPARTMENT SHALL:

16 (1) DEVELOP THE PUBLIC EDUCATION CAMPAIGN ON OR BEFORE
17 DECEMBER 1, ~~2025~~ 2026;

18 ~~(2) PROVIDE 30 DAYS FOR FEEDBACK AND COMMENTS FROM THE~~
19 ~~PUBLIC ON THE PUBLIC EDUCATION CAMPAIGN;~~

20 ~~(3)~~ (2) IMPLEMENT THE PUBLIC EDUCATION CAMPAIGN ON OR
21 BEFORE JANUARY 1, ~~2026~~ 2027; AND

22 ~~(4)~~ (3) SET MEASURABLE GOALS FOR THE PUBLIC EDUCATION
23 CAMPAIGN.

24 ~~(F) ON OR BEFORE JANUARY 1, 2027, 2028, AND 2029, THE DEPARTMENT~~
25 ~~SHALL SUBMIT A REPORT ON THE STATUS OF MEETING ITS GOALS ESTABLISHED~~
26 ~~UNDER SUBSECTION (E)(4) OF THIS SECTION TO THE GENERAL ASSEMBLY, IN~~
27 ~~ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.~~

28 ~~(G)~~ (F) (1) FOR EACH OF FISCAL YEARS 2026, 2027, 2028, ~~AND 2029,~~
29 AND 2030, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN
30 APPROPRIATION TO THE DEPARTMENT FOR THE PUBLIC EDUCATION CAMPAIGN

1 FROM THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7-317 OF THE
2 STATE FINANCE AND PROCUREMENT ARTICLE.

3 (2) THE TOTAL APPROPRIATION FOR FISCAL YEARS ~~2025~~ 2026
4 THROUGH ~~2029~~ 2030 SHALL BE NOT MORE THAN ~~\$2,000,000~~ \$750,000.

5 Article – State Finance and Procurement

6 7-317.

7 (a) There is a Cigarette Restitution Fund.

8 (f) (1) The Cigarette Restitution Fund shall be used to fund:

9 (i) the Tobacco Use Prevention and Cessation Program established
10 under Title 13, Subtitle 10 of the Health – General Article;

11 (ii) the Cancer Prevention, Education, Screening, and Treatment
12 Program established under Title 13, Subtitle 11 of the Health – General Article;

13 (iii) the activities of the Southern Maryland Agricultural
14 Development Commission, in accordance with § 13-611 of the Economic Development
15 Article;

16 (iv) For each of fiscal years 2025 through 2029, the Maryland
17 Community Health Resources Commission Fund, in accordance with subsection (g) of this
18 section; [and]

19 (v) THE PUBLIC EDUCATION CAMPAIGN ON PROSTATE, LUNG,
20 AND BREAST CANCER PREVENTION ESTABLISHED UNDER TITLE 13, SUBTITLE 11A
21 OF THE HEALTH – GENERAL ARTICLE; AND

22 [(v)] (vi) other programs that serve the following purposes:

23 1. reduction of the use of tobacco products by individuals
24 under the age of 21 years;

25 2. implementation of the Southern Maryland Regional
26 Strategy–Action Plan for Agriculture adopted by the Tri–County Council for Southern
27 Maryland with an emphasis on alternative crop uses for agricultural land now used for
28 growing tobacco;

29 3. public and school education campaigns to decrease tobacco
30 use with initial emphasis on areas targeted by tobacco manufacturers in marketing and
31 promoting cigarette and tobacco products;

1 4. smoking cessation programs;

2 5. enforcement of the laws regarding tobacco sales;

3 6. the purposes of the Maryland Health Care Foundation
4 under Title 20, Subtitle 5 of the Health – General Article;

5 7. primary health care in rural areas of the State and areas
6 targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco
7 products;

8 8. prevention, treatment, and research concerning cancer,
9 heart disease, lung disease, tobacco product use, and tobacco control, including operating
10 costs and related capital projects;

11 9. substance abuse treatment and prevention programs; and

12 10. any other public purpose.

13 (2) The provisions of this subsection may not be construed to affect the
14 Governor's powers with respect to a request for an appropriation in the annual budget bill.

15 (g) (3) For each fiscal year for which appropriations are made, at least 50% of
16 the appropriations shall be made for those purposes enumerated in subsection (f)(1)(i), (ii),
17 and [(v)1] (VI)1 through 9 of this section subject to the requirement of subsection (e)(2) of
18 this section.

19 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
20 2027, 2028, and 2029, the Maryland Department of Health shall include in the report
21 required under § 7-317(j)(2) of the State Finance and Procurement Article the status of
22 meeting its goals established under § 13-11A-01 of the Health – General Article, as enacted
23 by Section 1 of this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2024 July 1, 2025. It shall remain effective for a period of 5 6 years and, at the
26 end of September 30, 2029 June 30, 2031, this Act, with no further action required by the
27 General Assembly, shall be abrogated and of no further force and effect.