



SENATE BILL 548
Local Health Officers – Removal – Grounds and Process
WRITTEN TESTIMONY BEFORE THE FINANCE COMMITTEE
Laurence Polsky, MD, MPH, Calvert County Health Officer
For the Maryland Association of County Health Officers (MACHO)
Position: Support – February 24, 2022

The Maryland Association of County Health Officers (MACHO) supports SB 548. MACHO is the professional association of the chief executives of the state's 24 local public health departments (LHDs).

Health Officers, like directors of county agencies, have served at the pleasure of elected officials. But this one-size-fits-all termination process for state-employed Health Officers and county-employed division directors needs to be reassessed. Health Officers need a degree of insulation to act impartially based on the best scientific and medical evidence available when the health and lives of Marylanders are at stake. SB 548 aims to rectify the current flawed process with a new procedure that lessens the potential for political pressure to influence decisions that directly impact the health and safety of Maryland residents.

Unlike decisions from Planning and Zoning, Roads, and Economic Development, which are inherently political, determinations by Health Officers should be based on the best available medical and scientific evidence. The public's trust requires that health decisions be as apolitical as possible. Health Officers have the same professional standards as anyone's personal doctor or nurse when we issue medical advice to the community or take action to protect the well-being of residents and workers in our jurisdictions. We work under state and national guidelines, including the standards of state professional boards, CDC, NIH, physician, and nursing codes of ethics, etc., for the actions we take. In this respect, we also differ from other appointees who serve at the pleasure of elected officials.

In addition, Health Officers are responsible for enforcement of state laws, as well as orders issued by the Governor and Health Secretary. State regulations and orders at times cause friction with local mores. Health Officers should not be at risk of termination as a consequence of their duty to uphold these legal requirements.

In times of a pandemic, spiraling opioid overdoses, or other public health crises, it is paramount that decisions directly affecting public health be based squarely on the professional abilities of a Health Officer. By necessitating a defined cause for termination, SB 548 assures constituents that actions are being taken in the best interests of their health and safety.

For these reasons MACHO strongly encourages support for SB 548. For more information, please contact Ruth Maiorana, Executive Director, MACHO, at rmaiora1@jhu.edu or 410-937-1433.