

HB0796/566886/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 796

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “county;” insert “requiring the local health officer to convene the local team under certain circumstances; providing that a local team may include certain representatives;”; in the same line, strike the first “requiring” and substitute “authorizing”; in line 6, after “teams;” insert “authorizing the Department to release certain information at the discretion of the Secretary of Health; authorizing the Secretary to release certain data and findings to certain entities under certain circumstances; requiring, rather than authorizing, the Secretary to provide copies of certain death certificates to the Program; requiring the Secretary to provide the Program with certain information and records under certain circumstances;”; in line 7, after “requiring” insert “that”; in the same line, strike “the Maternal Mortality Review Program to provide”; in the same line, after “team” insert “be provided”; strike beginning with “information” in line 16 down through “records” in line 17 and substitute “proceedings, records, and files”; in line 18, strike “establishing certain penalties;” and substitute “establishing a certain penalty; making technical and conforming changes;”; in the same line, strike “a”; in line 19, strike “term” and substitute “terms”; and in line 29, after “13-1201” insert “and 13-1204”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(B) “DATA USE AGREEMENT” MEANS AN AGREEMENT BETWEEN THE DEPARTMENT AND A NATIONAL, STATE, OR LOCAL AGENCY OR PROGRAM THAT ESTABLISHES THE TERMS AND CONDITIONS FOR THE CONFIDENTIAL SUBMISSION, COLLECTION, STORAGE, ANALYSIS, REPORTING, AGGREGATION,

(Over)

AND DISSEMINATION OF DE-IDENTIFIED DATA OBTAINED FROM THE MATERNAL MORTALITY REVIEW PROGRAM.”;

in lines 17, 18, 20, and 23, strike “(b)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and “(F)”, respectively; in line 20, in each instance, strike “child health” and substitute “MORTALITY REVIEW”; and after line 24, insert:

“13-1204.

(a) The Secretary may contract with the Faculty to administer the Maternal Mortality Review Program.

(b) In consultation with the maternal [child health] MORTALITY REVIEW committee of a faculty, the Secretary shall develop a system to:

- (1) Identify maternal death cases;
 - (2) Review medical records and other relevant data;
 - (3) Contact family members and other affected or involved persons to collect additional relevant data;
 - (4) Consult with relevant experts to evaluate the records and data collected;
 - (5) Make determinations regarding the preventability of maternal deaths;
 - (6) Develop recommendations for the prevention of maternal deaths;
- and

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(7) Disseminate findings and recommendations to policy makers, health care providers, health care facilities, and the general public.

(C) ON THE APPROVAL OF THE SECRETARY AND WITH A SIGNED DATA USE AGREEMENT, THE DEPARTMENT MAY RELEASE DE-IDENTIFIED DATA AND FINDINGS TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION, LOCAL MATERNAL MORTALITY REVIEW TEAMS, AND OTHER ENTITIES AT THE DISCRETION OF THE SECRETARY.

[(c) (D) In accordance with § 4-221 of this article and notwithstanding § 4-224 of this article, the Secretary [may] SHALL provide the Program with [a copy of the death certificate of any woman whose death is suspected to have been a maternal death]:

(1) INFORMATION ON MATERNAL DEATH CASES WHEN THE RECORDS BECOME AVAILABLE, INCLUDING A COPY OF THE DEATH CERTIFICATE; AND

(2) MEDICAL INFORMATION FROM THE BIRTH OR FETAL DEATH RECORD FOR ANY PREGNANCY THAT OCCURRED WITHIN 1 YEAR BEFORE THE DEATH OF THE WOMAN, EXCLUDING SOCIAL SECURITY NUMBERS, ADDRESSES, AND NAMES OF THE INFANTS.

(E) ON THE REQUEST OF THE SECRETARY, THE PROGRAM SHALL BE PROVIDED ACCESS, TO THE EXTENT ALLOWED BY LAW, TO ALL INFORMATION AND RECORDS MAINTAINED BY A STATE OR LOCAL GOVERNMENT AGENCY, LAW ENFORCEMENT INVESTIGATIVE INFORMATION, MEDICAL EXAMINER INVESTIGATIVE INFORMATION, PAROLE AND PROBATION INFORMATION AND RECORDS, AND INFORMATION AND RECORDS OF A SOCIAL SERVICES AGENCY

(Over)

THAT PROVIDED SERVICES TO A WOMAN WHOSE DEATH IS BEING REVIEWED BY THE PROGRAM.”.

On page 3, strike beginning with “A” in line 1 down through “(D)” in line 22 and substitute “**IF A LOCAL TEAM IS ESTABLISHED IN A COUNTY, THE LOCAL TEAM:**

(1) SHALL BE CONVENED BY THE LOCAL HEALTH OFFICER; AND

(2) MAY INCLUDE REPRESENTATIVES FROM OTHER LOCAL AGENCIES AND LOCAL ORGANIZATIONS, LICENSED HEALTH CARE PROVIDERS WITH EXPERTISE IN MATERNAL CHILD HEALTH, AND OTHER INDIVIDUALS NECESSARY TO THE WORK OF THE LOCAL TEAM, RECOMMENDED BY THE LOCAL TEAM, AND DESIGNATED BY THE LOCAL HEALTH OFFICER.

(C)”.

On page 4, strike beginning with “SET” in line 11 down through “(3)” in line 13; in line 13, strike “QUARTERLY” and substitute “**ANNUALLY**”; strike line 17 in its entirety and substitute:

“(3) ENTER INTO A DATA USE AGREEMENT WITH THE DEPARTMENT FOR THE RECEIPT OF INFORMATION FROM THE MATERNAL MORTALITY REVIEW PROGRAM NECESSARY TO CARRY OUT THE LOCAL TEAM’S PURPOSE AND DUTIES; AND”;

in line 18, strike “(5)” and substitute “(4)”; and in line 29, strike “; AND” and substitute a period.

On page 5, strike in their entirety lines 1 through 3, inclusive; in line 5, before “ON” insert “(A)”; strike beginning with “MATERNAL” in line 6 down through “THE” in

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line 7; in line 7, after “TEAM” insert “SHALL BE PROVIDED”; in line 8, after “TO” insert “ALL RELEVANT”; strike beginning with the comma in line 8 down through “TEAM” in line 10 and substitute “IN ACCORDANCE WITH THE LOCAL TEAM’S DATA USE AGREEMENT WITH THE DEPARTMENT”; in line 11, after “ACCESS” insert “, TO THE EXTENT ALLOWED BY LAW,”; in line 12, strike “INCLUDING BIRTH CERTIFICATES,”; in lines 16 and 17, strike “: (I) A” and substitute “A”; and strike beginning with the semicolon in line 18 down through “PARAGRAPH” in line 20.

On page 6, strike in their entirety lines 15 through 19, inclusive, and substitute:

“(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE PROCEEDINGS, RECORDS, AND FILES OF A LOCAL TEAM ARE CONFIDENTIAL AND PRIVILEGED, AND ARE NOT DISCOVERABLE OR ADMISSIBLE AS EVIDENCE IN ANY CIVIL OR CRIMINAL PROCEEDING.”;

and strike beginning with “EXCEPT” in line 26 down through the first “A” in line 27 and substitute “A”.

On page 7, strike in their entirety lines 8 through 19, inclusive.