

SENATE BILL 901

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2000 Regular Session
0lr3030
CF 0lr3031

By: **Senators Kelley, Blount, Conway, Currie, Exum, Hughes, Lawlah,
McFadden, and Mitchell**

Introduced and read first time: March 6, 2000

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Restitution Fund - Adult and Adolescent Substance Abuse**
3 **Treatment and Services for Minority Populations Program**

4 FOR the purpose of establishing a program within the Department of Health and
5 Mental Hygiene to create and expand adult and adolescent substance abuse
6 treatment programs and services for minority populations in Baltimore City,
7 Baltimore County, Prince George's County, and the region of the Eastern Shore;
8 providing for the funding of the program; defining certain terms; requiring local
9 health departments to perform certain functions; providing for a certain
10 application process; requiring the Department to provide for a certain survey
11 and submit certain reports; requiring the Department to adopt certain
12 regulations; and generally relating to adult and adolescent substance abuse
13 treatment and services programs.

14 BY adding to
15 Article - Health - General
16 Section 13-1001 through 13-1007, inclusive, to be under the new subtitle
17 "Subtitle 10. Adult and Adolescent Substance Abuse Treatment and
18 Services for Minority Populations Program"
19 Annotated Code of Maryland
20 (1994 Replacement Volume and 1999 Supplement)

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

23 **Article - Health - General**

24 **SUBTITLE 10. ADULT AND ADOLESCENT SUBSTANCE ABUSE TREATMENT AND**
25 **SERVICES FOR MINORITY POPULATIONS PROGRAM.**

26 13-1001.

27 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
28 INDICATED.

1 (B) "CIGARETTE RESTITUTION FUND" MEANS THE FUND ESTABLISHED
2 UNDER § 7-317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

3 (C) "PROGRAM" MEANS THE ADULT AND ADOLESCENT SUBSTANCE ABUSE
4 TREATMENT AND SERVICES FOR MINORITY POPULATIONS PROGRAM.

5 13-1002.

6 (A) THERE IS THE ADULT AND ADOLESCENT SUBSTANCE ABUSE TREATMENT
7 AND SERVICES FOR MINORITY POPULATIONS PROGRAM WITHIN THE DEPARTMENT.

8 (B) THE PURPOSE OF THE PROGRAM IS TO:

9 (1) PROVIDE FOR ADULT AND ADOLESCENT SUBSTANCE ABUSE
10 TREATMENT AND SERVICES FOR MINORITY POPULATIONS IN BALTIMORE CITY,
11 BALTIMORE COUNTY, PRINCE GEORGE'S COUNTY, AND THE REGION OF THE EASTERN
12 SHORE;

13 (2) CREATE OR EXPAND, ON A DEMONSTRATED NEED BASIS:

14 (I) ADDITIONAL SUBSTANCE ABUSE TREATMENT CAPACITY FOR
15 THE CHEMICALLY DEPENDENT;

16 (II) SUPPORT FOR SPEEDIER ENTRY INTO SUBSTANCE ABUSE
17 TREATMENT PROGRAMS; AND

18 (III) FUNDS FOR ADDITIONAL COMPLEMENTARY TREATMENT
19 SERVICES INCLUDING ENHANCED AFTERCARE;

20 (3) CREATE OR EXPAND TREATMENT SERVICES AND EARLY
21 INTERVENTION SERVICES TO YOUTH WHO ARE EITHER CHEMICALLY DEPENDENT
22 OR HAVE BEEN IDENTIFIED BY SCHOOLS, JUVENILE JUSTICE AGENCIES, OR OTHER
23 SOURCES AS HAVING BEHAVIORAL OR MEDICAL PROBLEMS OR BOTH RELATED TO
24 TOBACCO ADDICTION, ILLEGAL USE OF ALCOHOL, OR ILLICIT USE OF OTHER DRUGS,
25 OR ANY OF THESE, INCLUDING THE YOUTH DUALY DIAGNOSED WITH MENTAL
26 ILLNESS AND INVOLVED IN INCIDENTS OF VIOLENCE INCLUDING ATTEMPTS AT
27 SUICIDE; AND

28 (4) CREATE OR EXPAND COLLABORATIVE LINKS BETWEEN AND AMONG
29 SUBSTANCE ABUSE INTERVENTION AND TREATMENT PROGRAMS, THE CRIMINAL
30 JUSTICE SYSTEM, HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, THE
31 DIVISION OF CORRECTION, SCHOOL SYSTEMS, HEALTH DEPARTMENTS, MEDICAL
32 FACILITIES, COMMUNITY BASED SOCIAL HEALTH AGENCIES, AND OTHER
33 INSTITUTIONS TO IMPROVE COST RECOVERY FROM THIRD PARTY PAYORS AND TO
34 ENHANCE THE COST BENEFIT AND COST EFFICIENCY OF THE LINKS FUNDED UNDER
35 THIS PARAGRAPH.

36 (C) (1) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET, BEGINNING
37 WITH FISCAL YEAR 2001, AT LEAST \$4 MILLION TO FUND THE PROGRAM AS
38 ESTABLISHED UNDER THIS SUBTITLE.

1 (2) FUNDING FOR THE PROGRAM MAY BE PROVIDED THROUGH THE
2 CIGARETTE RESTITUTION FUND.

3 13-1003.

4 (A) (1) THE DEPARTMENT SHALL DISTRIBUTE FUNDS FOR THE PROGRAM TO
5 EACH LOCAL HEALTH DEPARTMENT OR A PERSON DESIGNATED BY THE
6 DEPARTMENT UNDER § 13-1006 OF THIS SUBTITLE, BASED ON A PROPORTIONATE
7 FUNDING FORMULA ESTABLISHED BY REGULATION.

8 (2) THE FUNDING FORMULA DEVELOPED BY THE DEPARTMENT MAY
9 TAKE INTO ACCOUNT THE FOLLOWING FACTORS FOR BALTIMORE CITY, BALTIMORE
10 COUNTY, PRINCE GEORGE'S COUNTY, AND THE REGION OF THE EASTERN SHORE:

11 (I) POPULATION;

12 (II) MINORITY POPULATION;

13 (III) RATES OF ADULTS AND ADOLESCENTS IN NEED OF SUBSTANCE
14 ABUSE TREATMENT AND SERVICES;

15 (IV) SUBSTANCE ABUSE TREATMENT AND SERVICES CURRENTLY
16 AVAILABLE; AND

17 (V) ANY OTHER FACTOR THAT THE DEPARTMENT DETERMINES
18 WILL FURTHER THE PURPOSES OF THE PROGRAM.

19 (B) (1) BEFORE DISTRIBUTING MONEY UNDER THE PROGRAM, THE
20 DEPARTMENT SHALL PROVIDE FOR AN INDEPENDENT SURVEY TO DETERMINE FOR
21 BALTIMORE CITY, BALTIMORE COUNTY, PRINCE GEORGE'S COUNTY, AND THE REGION
22 OF THE EASTERN SHORE THE FACTORS LISTED IN SUBSECTION (A)(2) OF THIS
23 SECTION.

24 (2) THE SURVEY SHALL BE REPEATED AFTER THEIR PROGRAM HAS
25 BEEN IN EFFECT FOR 5 YEARS.

26 13-1004.

27 (A) ON OR BEFORE JUNE 1 OF EACH YEAR, THE LOCAL HEALTH OFFICER OR
28 OTHER PERSON AS DETERMINED BY THE DEPARTMENT UNDER § 13-1006 OF THIS
29 SUBTITLE SHALL SUBMIT A WRITTEN APPLICATION TO THE DEPARTMENT IN A FORM
30 APPROVED BY THE DEPARTMENT.

31 (B) THE APPLICATION SHALL INCLUDE AT A MINIMUM:

32 (1) A COMMUNITY NEEDS ASSESSMENT;

33 (2) A PLAN TO ADDRESS THE NEEDS IDENTIFIED IN THE ASSESSMENT;

34 AND

1 (3) A BUDGET THAT PROVIDES SPECIFIC FUNDING FOR EACH
2 INITIATIVE INCLUDED IN THE PLAN.

3 13-1005.

4 (A) (1) EACH LOCAL HEALTH OFFICER OR OTHER PERSON AS DETERMINED
5 BY THE DEPARTMENT UNDER § 13-1006 OF THIS SUBTITLE SHALL SUBMIT AN
6 ANNUAL REPORT TO THE DEPARTMENT DETAILING THE INITIATIVES UNDERTAKEN
7 BY BALTIMORE CITY, BALTIMORE COUNTY, PRINCE GEORGE'S COUNTY, AND THE
8 REGION OF THE EASTERN SHORE DURING THE PRECEDING FISCAL YEAR.

9 (2) THE DEPARTMENT SHALL DEVELOP PERFORMANCE MEASURES
10 AGAINST WHICH TO DETERMINE THE EFFECTIVENESS OF THE INITIATIVES
11 UNDERTAKEN BY BALTIMORE CITY, BALTIMORE COUNTY, PRINCE GEORGE'S COUNTY,
12 AND THE REGION OF THE EASTERN SHORE.

13 (B) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL
14 SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE
15 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, THAT INCLUDES:

16 (1) A LIST OF THE INITIATIVES UNDERTAKEN BY BALTIMORE CITY,
17 BALTIMORE COUNTY, PRINCE GEORGE'S COUNTY, AND THE REGION OF THE EASTERN
18 SHORE; AND

19 (2) AN ANALYSIS OF THE INITIATIVES' EFFECTIVENESS BASED ON THE
20 PERFORMANCE MEASURES DEVELOPED BY THE DEPARTMENT.

21 13-1006.

22 (A) THE DEPARTMENT MAY APPOINT A PERSON OTHER THAN THE LOCAL
23 HEALTH DEPARTMENT TO COORDINATE THE PROGRAM IN BALTIMORE COUNTY,
24 BALTIMORE CITY, PRINCE GEORGE'S COUNTY, AND THE REGION OF THE EASTERN
25 SHORE IF:

26 (1) THE LOCAL HEALTH DEPARTMENT IS UNWILLING TO PARTICIPATE
27 IN THE PROGRAM;

28 (2) THE LOCAL HEALTH DEPARTMENT LACKS SUFFICIENT STAFF OR
29 RESOURCES TO COORDINATE THE PROGRAM; OR

30 (3) THE LOCAL HEALTH DEPARTMENT HAS BEEN UNSUCCESSFUL IN
31 IMPLEMENTING SUBSTANCE ABUSE TREATMENT AND SERVICES THAT SATISFY
32 PERFORMANCE STANDARDS ESTABLISHED BY THE DEPARTMENT.

33 (B) IN CHOOSING A PERSON OTHER THAN A LOCAL HEALTH DEPARTMENT TO
34 COORDINATE THE PROGRAM, THE DEPARTMENT SHALL:

35 (1) ISSUE A REQUEST FOR PROPOSALS; OR

36 (2) COORDINATE THE PROGRAM FROM WITHIN THE DEPARTMENT.

1 13-1007.

2 THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
3 THIS SUBTITLE.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2000.