

HOUSE BILL 1049

J1

(71r2767)

ENROLLED BILL

— *Health and Government Operations / Education, Health, and Environmental Affairs* —

Introduced by **Delegates Pena-Melnyk, Aumann, Barnes, Beidle, Branch, Braveboy, DeBoy, Frush, Gaines, Haynes, Howard, Hucker, Impallaria, Ivey, N. King, Love, Manno, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Proctor, Ramirez, Ross, Shewell, Sossi, Stein, ~~and Taylor~~ Taylor, Lee, Hammen, Beitzel, Benson, Bromwell, Donoghue, Elliott, Hubbard, Kach, Kullen, McDonough, Oaks, Pendergrass, Riley, Tarrant, V. Turner, and Weldon**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~**Task Force on the HPV Vaccine**~~

3 **Cervical Cancer Committee - HPV Vaccine Subcommittee**

4 FOR the purpose of ~~establishing a Task Force on the HPV Vaccine; providing for the~~

5 ~~membership and staffing of the Task Force; providing that the members of the~~

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.

Italics indicate opposite chamber / conference committee amendments.



~~Task Force may not receive compensation but are entitled to a certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the HPV Vaccine establishing the human papillomavirus (HPV) vaccine subcommittee in the Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan; providing for the membership of the HPV vaccine subcommittee; providing for the duties of the HPV vaccine subcommittee; requiring the HPV vaccine subcommittee to submit a certain report to the Committee on or before a certain date each year; requiring a certain report of the Committee to include the findings and recommendations of the HPV vaccine subcommittee; and generally relating to the HPV vaccine subcommittee of the Cervical Cancer Committee.~~

BY repealing and reenacting, with amendments,
Chapter 283 of the Acts of the General Assembly of 2004
Section 1

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

~~(a) There is a Task Force on the HPV Vaccine.~~

~~(b) The Task Force consists of the following members:~~

~~(1) one member of the Senate of Maryland, appointed by the President of the Senate;~~

~~(2) one member of the House of Delegates, appointed by the Speaker of the House;~~

~~(3) one representative from the Maryland State Teachers Association, appointed by the Association;~~

~~(4) one representative of the Maryland Association of Boards of Education, appointed by the Association;~~

~~(5) one representative of the Maryland Association of County Health Officers, appointed by the Association;~~

~~(6) one physician member of the Medical Chirurgical Faculty of Maryland, appointed by the organization;~~

1 ~~(7) one physician member of the Maryland Chapter of the American~~
2 ~~Academy of Pediatrics, appointed by the organization;~~

3 ~~(8) one representative from a pharmaceutical company that~~
4 ~~manufactures the HPV vaccine, appointed by the company; and~~

5 ~~(9) the following members, appointed by the Governor:~~

6 ~~(i) one representative of the health insurance industry; and~~

7 ~~(ii) two consumer members.~~

8 ~~(e) The Task Force shall elect the chair of the Task Force from among its~~
9 ~~members.~~

10 ~~(d) The Department of Health and Mental Hygiene shall provide staff for the~~
11 ~~Task Force.~~

12 ~~(e) A member of the Task Force:~~

13 ~~(1) may not receive compensation as a member of the Task Force; but~~

14 ~~(2) is entitled to reimbursement for expenses under the Standard~~
15 ~~State Travel Regulations, as provided in the State budget.~~

16 ~~(f) The Task Force shall:~~

17 ~~(1) examine federal and State programs on the HPV vaccine; and~~

18 ~~(2) recommend a plan to implement a HPV vaccine program in the~~
19 ~~State, including:~~

20 ~~(i) the appropriate age requirements for a female to receive the~~
21 ~~HPV vaccine;~~

22 ~~(ii) the use of a mandatory HPV vaccine for female children;~~

23 ~~(iii) the availability and affordability of the HPV vaccine; and~~

24 ~~(iv) a public education campaign for the HPV vaccine.~~

~~(g) The Task Force shall report its findings and recommendations to the Governor, and, in accordance with § 2-1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, and the House Health and Government Operations Committee on or before December 1, 2008.~~

Chapter 283 of the Acts of 2004

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan.

(b) The Department of Health and Mental Hygiene shall provide staff for the Committee.

(c) The Committee shall:

(1) be briefed by the Department of Health and Mental Hygiene on the prevalence and burden of cervical cancer in the State;

(2) in collaboration with the Department of Health and Mental Hygiene and the State Council on Cancer Control:

(i) promote public awareness on the causes and nature of cervical cancer, personal risk factors, the value of prevention, early detection, options for testing, treatment costs, new technology, medical care reimbursement, and physician education; and

(ii) examine new and emerging medicines, including vaccines, that are being developed in an effort to cure cervical cancer;

(3) identify and examine the limitations of existing programs, services, laws, and regulations with respect to:

(i) cervical cancer awareness; and

(ii) the availability of health insurance coverage and public services for the diagnosis and treatment of cervical cancer;

(4) develop a statewide comprehensive Cervical Cancer Prevention Plan and strategies for plan implementation and public promotion of the plan;

1 (5) facilitate coordination and communication among State and local
2 agencies and organizations regarding achieving the goals of the Cervical Cancer
3 Prevention Plan developed by the Committee; AND

4 (6) receive public testimony from individuals, local health
5 departments, community-based organizations, and other public and private
6 organizations to gather input on these individuals' and organizations':

7 (i) contributions to cervical cancer prevention, diagnosis, and
8 treatment; and

9 (ii) ideas for improving cervical cancer prevention, diagnosis,
10 and treatment in the State.

11 (D) (1) THERE IS A SUBCOMMITTEE ON THE HUMAN
12 PAPILLOMAVIRUS (HPV) VACCINE IN THE COMMITTEE.

13 (2) THE HPV VACCINE SUBCOMMITTEE SHALL CONSIST OF THE
14 FOLLOWING MEMBERS:

15 (I) ONE REPRESENTATIVE OF THE MARYLAND STATE
16 DEPARTMENT OF EDUCATION, APPOINTED BY THE DEPARTMENT;

17 (II) ONE REPRESENTATIVE OF THE MARYLAND PTA,
18 APPOINTED BY THE PTA;

19 (III) ONE REPRESENTATIVE OF THE MARYLAND STATE
20 TEACHERS ASSOCIATION, APPOINTED BY THE ASSOCIATION;

21 (IV) ONE REPRESENTATIVE OF THE MARYLAND
22 ASSOCIATION OF BOARDS OF EDUCATION, APPOINTED BY THE ASSOCIATION;

23 (V) ONE REPRESENTATIVE OF THE MARYLAND
24 ASSOCIATION OF COUNTY HEALTH OFFICERS, APPOINTED BY THE
25 ASSOCIATION;

26 (VI) ONE REPRESENTATIVE OF THE SOCIETY FOR
27 ADOLESCENT MEDICINE, APPOINTED BY THE SOCIETY;

28 (VII) ONE PHYSICIAN MEMBER OF THE MEDICAL AND
29 CHIRURGICAL FACULTY OF MARYLAND, APPOINTED BY THE ORGANIZATION;

1 **(VIII) ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER**
2 **OF THE AMERICAN ACADEMY OF PEDIATRICS, APPOINTED BY THE**
3 **ORGANIZATION;**

4 **(IX) ONE REPRESENTATIVE OF CHILDREN'S NATIONAL**
5 **MEDICAL CENTER, APPOINTED BY THE CENTER;**

6 **(X) ONE REPRESENTATIVE OF JOHNS HOPKINS**
7 **INSTITUTIONS, APPOINTED BY THE ORGANIZATION; ~~AND~~**

8 **(XI) THE FOLLOWING MEMBERS, APPOINTED BY THE**
9 **SECRETARY OF HEALTH AND MENTAL HYGIENE:**

10 **1. ONE REPRESENTATIVE OF THE HEALTH**
11 **INSURANCE INDUSTRY; AND**

12 **2. TWO CONSUMER MEMBERS; AND**

13 **(XII) ONE PARENT OF A STUDENT IN A NONPUBLIC SCHOOL**
14 **PROGRAM, APPOINTED BY THE MARYLAND COUNCIL FOR AMERICAN PRIVATE**
15 **EDUCATION.**

16 **(3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL**
17 **APPOINT THE CHAIR OF THE SUBCOMMITTEE.**

18 **(4) THE HPV VACCINE SUBCOMMITTEE SHALL:**

19 **(I) EXAMINE FEDERAL AND STATE PROGRAMS RELATING**
20 **TO THE HPV VACCINE;**

21 **(II) DEVELOP A PUBLIC AWARENESS AND EDUCATION**
22 **CAMPAIGN ABOUT THE HPV VACCINE WITH AN EMPHASIS ON PARENTAL**
23 **EDUCATION;**

24 **(III) EVALUATE THE AVAILABILITY AND AFFORDABILITY OF**
25 **THE HPV VACCINE, INCLUDING COVERAGE BY HEALTH INSURERS AND PUBLIC**
26 **HEALTH PROGRAMS;**

1 (IV) IDENTIFY BARRIERS TO THE ADMINISTRATION OF THE
2 HPV VACCINE TO ALL RECOMMENDED INDIVIDUALS; AND

3 (V) IDENTIFY AND EVALUATE VARIOUS SOURCES OF
4 RESOURCES TO COVER THE COSTS OF THE HPV VACCINE; AND

5 ~~(V)~~ (VI) IDENTIFY AND EVALUATE APPROPRIATE
6 MECHANISMS THE STATE MAY USE TO INCREASE ACCESS TO THE HPV
7 VACCINE, INCLUDING MANDATING THE HPV VACCINE FOR ENROLLMENT IN
8 SCHOOL.

9 (5) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE HPV
10 VACCINE SUBCOMMITTEE SHALL SUBMIT A REPORT ON ITS FINDINGS AND
11 RECOMMENDATIONS TO THE COMMITTEE.

12 [(d)] (E) The Committee shall present in the annual report of the State
13 Council on Cancer Control its findings and recommendations, INCLUDING THE
14 FINDINGS AND RECOMMENDATIONS OF THE HPV VACCINE SUBCOMMITTEE, to
15 the Governor and, in accordance with § 2-1246 of the State Government Article, the
16 General Assembly, on or before October 1 of each year beginning October 1, 2004.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2007. ~~It shall remain effective for a period of 1 year and 6 months and, at the~~
19 ~~end of December 31, 2008, with no further action required by the General Assembly,~~
20 ~~this Act shall be abrogated and of no further force and effect.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.