

## Chapter 328

(Senate Bill 881)

AN ACT concerning

### Community Health Resources Commission – Revisions

FOR the purpose of authorizing the Community Health Resources Commission to contract with a certain third party for certain services; prohibiting a certain third party from releasing, publishing, or similarly using certain information; providing that the power of the Secretary of Health and Mental Hygiene over a certain procurement procedure does not apply to the Commission; providing that, when procuring services or supplies, the Commission is subject to certain provisions of law; altering the purposes for which the Community Health Resources Commission Fund may be used, subject to certain conditions; and generally relating to the Community Health Resources Commission.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–2101(c) and 19–2201(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–2107 and ~~19–2201(e)(1)~~ 19–2201(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 19–2108(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

#### Article – Health – General

19–2101.

(c) “Commission” means the Maryland Community Health Resources Commission.

19–2107.

(a) In addition to the powers set forth elsewhere in this subtitle, the Commission may:

- (1) Adopt regulations to carry out the provisions of this subtitle;
- (2) Create committees from among its members;
- (3) Appoint advisory committees, which may include individuals and representatives of interested public or private organizations;
- (4) Apply for and accept any funds, property, or services from any person or government agency;
- (5) Make agreements with a grantor or payor of funds, property, or services, including an agreement to make any study, plan, demonstration, or project;
- (6) Publish and give out any information that relates to expanding access to health care through community health resources that is considered desirable in the public interest;
- (7) Subject to the limitations of this subtitle, exercise any other power that is reasonably necessary to carry out the purposes of this subtitle; and
- (8) Assist community health resources in preparing to implement the Affordable Care Act.

(b) In addition to the duties set forth elsewhere in this subtitle, the Commission shall:

- (1) Adopt rules and regulations that relate to its meetings, minutes, and transactions;
- (2) Keep minutes of each meeting;
- (3) Prepare annually a budget proposal that includes the estimated income of the Commission and proposed expenses for its administration and operation; and
- (4) On or before October 1 of each year, submit to the Governor, to the Secretary, and, in accordance with § 2–1246 of the State Government Article, to the General Assembly an annual report on the operations and activities of the Commission during the preceding fiscal year.

**(c) (1) THE COMMISSION MAY CONTRACT WITH A QUALIFIED, INDEPENDENT THIRD PARTY FOR ANY SERVICE THAT IS NECESSARY TO CARRY OUT THE POWERS AND DUTIES OF THE COMMISSION.**

**(2) UNLESS PERMISSION IS GRANTED SPECIFICALLY BY THE COMMISSION, A THIRD PARTY WITH WHOM THE COMMISSION CONTRACTS UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT RELEASE, PUBLISH, OR USE IN A MANNER NOT AUTHORIZED BY THE CONTRACT ANY INFORMATION TO WHICH THE THIRD PARTY HAS ACCESS UNDER THE CONTRACT.**

19-2108.

**(c) (1) THE POWER OF THE SECRETARY OVER THE PROCUREMENT PROCEDURE FOR UNITS IN THE DEPARTMENT DOES NOT APPLY TO THE PROCUREMENT PROCEDURE OF THE COMMISSION.**

**(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, WHEN PROCURING SERVICES OR SUPPLIES, THE COMMISSION IS SUBJECT TO THE PROVISIONS OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

19-2201.

(a) In this section, "Fund" means the Community Health Resources Commission Fund.

(e) (1) ~~The~~ **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE** Fund may be used only to:

- (i) Cover the administrative costs of the Commission;
- (ii) Cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle;
- (iii) Provide operating grants to qualifying community health resources; ~~and~~
- (iv) Provide funding for the development, support, and monitoring of a unified data information system among primary and specialty care providers, hospitals, and other providers of services to community health resource members; ~~AND~~

~~**(v) PROVIDE FUNDING FOR ANY OTHER PROJECT OR INITIATIVE APPROVED BY THE COMMISSION THAT INCREASES ACCESS TO HEALTH CARE OR REDUCES HEALTH DISPARITIES IN THE STATE.**~~

**(2) (i) FOR FISCAL YEARS 2014, 2015, AND 2016, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$4,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(ii) FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 20, SUBTITLE 14 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO LESS THAN \$8,000,000 OF THE SUBSIDY REQUIRED UNDER § 14-106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**[(2)] (3) The funding for a unified data information system under paragraph (1)(iv) of this subsection shall be limited to:**

- (i) \$500,000 in fiscal year 2006; and**
- (ii) \$1,700,000 in fiscal year 2007 and annually thereafter.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2013.

**Approved by the Governor, May 2, 2013.**