

# SENATE BILL 654

J1, J2, J3

(4lr2237)

## ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by ~~Senator Middleton~~ Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

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.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Health – Down Syndrome – Required Information**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to  
4 identify certain information about Down syndrome; requiring the Department  
5 to make available certain information on the Department’s Web site and to  
6 provide certain information to certain health care facilities and certain health  
7 care providers; ~~requiring~~ authorizing certain health care facilities and certain  
8 health care providers to provide to certain individuals certain information under  
9 certain circumstances; defining certain terms; and generally relating to the  
10 identification and provision of information about Down syndrome.

11 BY adding to  
12 Article – Health – General

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#### 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.



1 Section 20–1501 and 20–1502 to be under the new subtitle “Subtitle 15. Down  
2 Syndrome Information”  
3 Annotated Code of Maryland  
4 (2009 Replacement Volume and 2013 Supplement)

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

7 **Article – Health – General**

8 **SUBTITLE 15. DOWN SYNDROME INFORMATION.**

9 **20–1501.**

10 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
11 INDICATED.

12 (B) “DOWN SYNDROME” MEANS A CHROMOSOMAL CONDITION CAUSED  
13 BY AN ERROR IN CELL DIVISION THAT RESULTS IN THE PRESENCE OF AN EXTRA  
14 WHOLE OR PARTIAL COPY OF CHROMOSOME 21.

15 (C) (1) “HEALTH CARE FACILITY” MEANS A FACILITY OR AN OFFICE  
16 WHERE HEALTH OR MEDICAL CARE IS PROVIDED TO PATIENTS BY A HEALTH  
17 CARE PROVIDER.

18 (2) “HEALTH CARE FACILITY” INCLUDES A HOSPITAL AND A  
19 LIMITED SERVICE HOSPITAL.

20 (D) (1) “HEALTH CARE PROVIDER” MEANS A PERSON WHO IS  
21 LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH  
22 OCCUPATIONS ARTICLE TO PROVIDE HEALTH OR MEDICAL CARE IN THE  
23 ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION.

24 (2) “HEALTH CARE PROVIDER” INCLUDES A GENETIC  
25 COUNSELOR.

26 (E) “HOSPITAL” HAS THE MEANING STATED IN § 19–301 OF THIS  
27 ARTICLE.

28 (F) “LIMITED SERVICE HOSPITAL” HAS THE MEANING STATED IN §  
29 19–301 OF THIS ARTICLE.

30 **20–1502.**

1           (A) THE DEPARTMENT SHALL IDENTIFY UP-TO-DATE,  
2 EVIDENCE-BASED, WRITTEN INFORMATION ABOUT DOWN SYNDROME THAT:

3           (1) HAS BEEN REVIEWED BY MEDICAL EXPERTS AND NATIONAL  
4 AND LOCAL DOWN SYNDROME ORGANIZATIONS;

5           (2) IS DESIGNED FOR USE BY AN EXPECTANT PARENT WHO  
6 RECEIVES A PRENATAL TEST RESULT FOR DOWN SYNDROME OR A PARENT OF A  
7 CHILD WHO RECEIVES A DIAGNOSIS OF DOWN SYNDROME;

8           (3) IS CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR  
9 POTENTIAL RECIPIENTS OF THE INFORMATION; AND

10           (4) INCLUDES:

11           (i) INFORMATION ADDRESSING PHYSICAL,  
12 DEVELOPMENTAL, EDUCATIONAL, AND PSYCHOSOCIAL OUTCOMES, LIFE  
13 EXPECTANCY, CLINICAL COURSE, AND INTELLECTUAL AND FUNCTIONAL  
14 DEVELOPMENT AND TREATMENT OPTIONS FOR INDIVIDUALS WITH DOWN  
15 SYNDROME; AND

16           (ii) CONTACT INFORMATION FOR NATIONAL AND LOCAL  
17 DOWN SYNDROME EDUCATION AND SUPPORT PROGRAMS AND SERVICES,  
18 INCLUDING INFORMATION HOTLINES, RESOURCE CENTERS, AND  
19 CLEARINGHOUSES.

20           (B) THE DEPARTMENT SHALL:

21           (1) PROVIDE THE INFORMATION IDENTIFIED BY THE  
22 DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION TO HEALTH CARE  
23 FACILITIES AND HEALTH CARE PROVIDERS THAT PROVIDE PRENATAL CARE,  
24 POSTNATAL CARE, OR GENETIC COUNSELING TO EXPECTANT PARENTS WHO  
25 RECEIVE A PRENATAL TEST RESULT FOR DOWN SYNDROME AND PARENTS OF A  
26 CHILD DIAGNOSED WITH DOWN SYNDROME; AND

27           (2) MAKE AVAILABLE THE INFORMATION IDENTIFIED BY THE  
28 DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION ON THE  
29 DEPARTMENT'S WEB SITE.

30           (C) (1) ON RECEIPT OF A POSITIVE TEST RESULT FROM A TEST FOR  
31 DOWN SYNDROME, A HEALTH CARE FACILITY OR HEALTH CARE PROVIDER  
32 ~~SHALL~~ MAY PROVIDE TO THE EXPECTANT PARENT WHO RECEIVES A PRENATAL  
33 TEST RESULT FOR DOWN SYNDROME OR THE PARENT OF THE CHILD  
34 DIAGNOSED WITH DOWN SYNDROME THE WRITTEN INFORMATION PROVIDED OR

1 MADE AVAILABLE BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS  
2 SECTION.

3 (2) THE INFORMATION PROVIDED UNDER THIS SUBSECTION  
4 SHALL BE CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR THE  
5 RECIPIENT OF THE INFORMATION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2014.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.