

SENATE BILL 654

J1, J2, J3

4lr2237

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

Introduced and read first time: January 31, 2014

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2014

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 certain health care facilities and certain health care
8 providers to provide to certain individuals certain information under certain
9 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

13 Section 20–1501 and 20–1502 to be under the new subtitle “Subtitle 15. Down
14 Syndrome Information”

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2013 Supplement)

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

19 **Article – Health – General**

20 **SUBTITLE 15. DOWN SYNDROME INFORMATION.**

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.



1 **20-1501.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

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

7 (C) (1) “HEALTH CARE FACILITY” MEANS A FACILITY OR AN OFFICE
8 WHERE HEALTH OR MEDICAL CARE IS PROVIDED TO PATIENTS BY A HEALTH
9 CARE PROVIDER.

10 (2) “HEALTH CARE FACILITY” INCLUDES A HOSPITAL AND A
11 LIMITED SERVICE HOSPITAL.

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

16 (2) “HEALTH CARE PROVIDER” INCLUDES A GENETIC
17 COUNSELOR.

18 (E) “HOSPITAL” HAS THE MEANING STATED IN § 19-301 OF THIS
19 ARTICLE.

20 (F) “LIMITED SERVICE HOSPITAL” HAS THE MEANING STATED IN §
21 19-301 OF THIS ARTICLE.

22 **20-1502.**

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

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

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

1 **(3) IS CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR**
2 **POTENTIAL RECIPIENTS OF THE INFORMATION; AND**

3 **(4) INCLUDES:**

4 **(I) INFORMATION ADDRESSING PHYSICAL,**
5 **DEVELOPMENTAL, EDUCATIONAL, AND PSYCHOSOCIAL OUTCOMES, LIFE**
6 **EXPECTANCY, CLINICAL COURSE, AND INTELLECTUAL AND FUNCTIONAL**
7 **DEVELOPMENT AND TREATMENT OPTIONS FOR INDIVIDUALS WITH DOWN**
8 **SYNDROME; AND**

9 **(II) CONTACT INFORMATION FOR NATIONAL AND LOCAL**
10 **DOWN SYNDROME EDUCATION AND SUPPORT PROGRAMS AND SERVICES,**
11 **INCLUDING INFORMATION HOTLINES, RESOURCE CENTERS, AND**
12 **CLEARINGHOUSES.**

13 **(B) THE DEPARTMENT SHALL:**

14 **(1) PROVIDE THE INFORMATION IDENTIFIED BY THE**
15 **DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION TO HEALTH CARE**
16 **FACILITIES AND HEALTH CARE PROVIDERS THAT PROVIDE PRENATAL CARE,**
17 **POSTNATAL CARE, OR GENETIC COUNSELING TO EXPECTANT PARENTS WHO**
18 **RECEIVE A PRENATAL TEST RESULT FOR DOWN SYNDROME AND PARENTS OF A**
19 **CHILD DIAGNOSED WITH DOWN SYNDROME; AND**

20 **(2) MAKE AVAILABLE THE INFORMATION IDENTIFIED BY THE**
21 **DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION ON THE**
22 **DEPARTMENT'S WEB SITE.**

23 **(C) (1) ON RECEIPT OF A POSITIVE TEST RESULT FROM A TEST FOR**
24 **DOWN SYNDROME, A HEALTH CARE FACILITY OR HEALTH CARE PROVIDER**
25 **SHALL PROVIDE TO THE EXPECTANT PARENT WHO RECEIVES A PRENATAL TEST**
26 **RESULT FOR DOWN SYNDROME OR THE PARENT OF THE CHILD DIAGNOSED**
27 **WITH DOWN SYNDROME THE WRITTEN INFORMATION PROVIDED OR MADE**
28 **AVAILABLE BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.**

29 **(2) THE INFORMATION PROVIDED UNDER THIS SUBSECTION**
30 **SHALL BE CULTURALLY AND LINGUISTICALLY APPROPRIATE FOR THE**
31 **RECIPIENT OF THE INFORMATION.**

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