

## Chapter 83

### (House Bill 105)

AN ACT concerning

#### **Maryland Health Care Commission – Powers – Authority to Award Funds and Make Agreements With Grantees and Payees**

FOR the purpose of authorizing the Maryland Health Care Commission to award certain funds received from any person or government agency; authorizing the Commission to make agreements with certain grantees and payees; requiring the Commission, in awarding certain funds, to use a certain process and evaluate proposals for funding using a panel that consists of certain individuals; requiring the Commission to provide certain information on its Web site and submit a certain report to the General Assembly; and generally relating to the powers of the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–109(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Health – General  
Section 19–109(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

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

#### **Article – Health – General**

19–109.

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

- (1) Adopt rules and regulations to carry out the provisions of this subtitle;
- (2) Create committees from among its members;

(3) Appoint advisory committees, which shall include consumers and may include representatives of interested public or private organizations, to make recommendations to the Commission on community-based services, long-term care, acute patient services, ambulatory surgical services, specialized health care services, residential treatment centers for emotionally disturbed children and adolescents, mental health and alcohol and drug abuse services, and any other topic or issue that the Commission considers necessary;

(4) Apply for and accept any funds, property, or services from any person or government agency;

**(5) ~~AWARD~~ SUBJECT TO SUBSECTION (D) OF THIS SECTION, AWARD ANY FUNDS RECEIVED FROM ANY PERSON OR GOVERNMENT AGENCY;**

**[(5)] (6)** Make agreements with a grantor or payor **OR WITH A GRANTEE OR PAYEE** of funds, property, or services, including an agreement to make any study, plan, demonstration, or project;

**[(6)] (7)** Publish and give out any information that relates to the financial aspects of health care and is considered desirable in the public interest; and

**[(7)] (8)** Subject to the limitations of this subtitle, exercise any other power that is reasonably necessary to carry out the purposes of this subtitle, including adopting regulations that set reasonable deadlines for filing of information or reports required under this subtitle and impose reasonable penalties for failure to file information or reports as required.

**(D) (1) IN AWARDING FUNDS UNDER SUBSECTION (A)(5) OF THIS SECTION, THE COMMISSION SHALL:**

**(I) USE A COMPETITIVE PROCESS THAT AFFORDS INTERESTED PERSONS AN OPPORTUNITY TO SUBMIT A PROPOSAL FOR FUNDING; AND**

**(II) EVALUATE PROPOSALS FOR FUNDING USING A PANEL THAT CONSISTS OF INTERNAL AND EXTERNAL EVALUATORS.**

**(2) THE COMMISSION SHALL:**

**(I) PROVIDE ON ITS WEB SITE INFORMATION THAT IS EASILY ACCESSIBLE TO THE GENERAL PUBLIC ABOUT FUNDS TO BE AWARDED UNDER SUBSECTION (A)(5) OF THIS SECTION AND HOW TO SUBMIT A PROPOSAL; AND**

**(ii) SUBMIT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT TO THE GENERAL ASSEMBLY LISTING ALL FUNDS AWARDED UNDER SUBSECTION (A)(5) OF THIS SECTION.**

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

**Approved by the Governor, April 8, 2014.**