

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 102 (Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Health and
Mental Hygiene)

Education, Health, and Environmental Affairs

Health and Government Operations

Health - Use of Alternate Care Sites During a State of Emergency - Authorization

This departmental bill authorizes the Governor, in a declared state of emergency, to promulgate reasonable orders, rules, or regulations that authorize the use of “alternate care sites” by licensed health care facilities.

Fiscal Summary

State Effect: Any additional workload can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Department of Health and Mental Hygiene (DHMH) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Bill Summary: “Alternate care site” is defined as an area that is used by a licensed health care facility to provide medical, nursing, or other health care services during a declared state of emergency that is either (1) not located on the premises of a health care facility or (2) located on premises but in an area not typically used to provide such services. An alternate care site must have access to an emergency electrical power generator.

Current Law: During a public emergency in the State, the Governor may, under certain circumstances, proclaim a state of emergency and designate the emergency area if public safety is endangered or on reasonable apprehension of immediate danger to public safety.

After proclaiming the state of emergency, the Governor may promulgate reasonable orders, rules, or regulations considered necessary to protect life and property or to control and terminate the emergency, including orders, rules, or regulations to control traffic; designate specific zones in an emergency area; control the movement of individuals or vehicles into, in, or from designated zones; control places of amusement and assembly; control individuals on public streets; establish curfews; control the sale, transportation, and use of alcoholic beverages; control the possession, sale, carrying, and use of firearms and other weapons and ammunition; and control the storage, use, and transportation of explosives or flammable materials or liquids.

Background: During a public health or medical surge emergency, for example a large-scale epidemic or accident, an increased demand for care may necessitate the need for alternative locations for the provision of health care. According to DHMH, the bill is intended to allow alternate care sites to function during an emergency and to support the efforts of health care facilities to better access reimbursement for care delivered during such an emergency.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems, Department of Health and Mental Hygiene, Military Department, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 2014
ncs/ljm Revised - Senate Third Reader - February 3, 2014
Revised - Enrolled Bill - May 9, 2014

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Authorizing Use of Alternate Care Sites During a State of
Emergency

BILL NUMBER: SB 102

PREPARED BY: Department of Health and Mental Hygiene

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

This proposal will not have a significant economic impact on private health care facilities, except in that it will allow them to more easily seek reimbursement for care provided during a declared state of emergency.