

# SENATE BILL 105

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8lr0045

(PRE-FILED)

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By: **Chair, Finance Committee (By Request – Departmental – Health)**

Requested: September 26, 2017

Introduced and read first time: January 10, 2018

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Advisory Council on Hereditary and Congenital Disorders – Membership**  
3 **and Appointments**

4 FOR the purpose of altering the membership of the State Advisory Council on Hereditary  
5 and Congenital Disorders; requiring that the Secretary of Health, rather than the  
6 Governor, make appointments to the Advisory Committee; prohibiting the Secretary  
7 from making certain appointments until a certain term expires or unless a seat is  
8 vacant; and generally relating to the State Advisory Council on Hereditary and  
9 Congenital Disorders.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 13–104  
13 Annotated Code of Maryland  
14 (2015 Replacement Volume and 2017 Supplement)

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

17 **Article – Health – General**

18 13–104.

19 (a) (1) The Advisory Council consists of 11 voting members and [5] 4  
20 nonvoting members.

21 (2) Of the 11 voting members:

22 (i) 1 shall be a member of the Senate appointed by the President of

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the Senate;

2 (ii) 1 shall be a member of the House of Delegates appointed by the  
3 Speaker of the House;

4 (iii) 4 shall be professional individuals in the field of hereditary or  
5 congenital disorders appointed by the [Governor] **SECRETARY**; and

6 (iv) 5 shall be individuals appointed by the [Governor] **SECRETARY**,  
7 none of whom may be:

8 1. A health professional or spouse of a health professional; or

9 2. An individual or spouse of an individual involved in the  
10 administration or ownership of any health care institution or health insurance  
11 organization.

12 (3) (i) Except as provided in subparagraph (iv) of this paragraph, the  
13 [Governor] **SECRETARY** shall appoint 1 professional member from a list of qualified  
14 individuals submitted to the [Governor] **SECRETARY** by each of the following  
15 organizations:

16 1. [The Monumental City Medical Society] **CHILDREN'S**  
17 **NATIONAL HEALTH SYSTEM**;

18 2. The Medical and Chirurgical Faculty of the State of  
19 Maryland;

20 3. The faculty of the University of Maryland School of  
21 Medicine; and

22 4. The faculties of the Johns Hopkins Medical Institutions.

23 (ii) The number of names on a list shall be 3.

24 (iii) An organization shall submit its list:

25 1. At least 3 months before the expiration of the term of the  
26 professional member who represents the organization; and

27 2. If a vacancy is for a reason other than expiration of the  
28 term, at any time before the [Governor] **SECRETARY** makes the appointment, if the  
29 organization complies with the reasonable request of the [Governor] **SECRETARY** for the  
30 list.

31 (iv) If a list is not submitted to the [Governor] **SECRETARY** as

1 required under subparagraph (iii) of this paragraph, within 3 months after a request is  
2 made by the [Governor] SECRETARY, the [Governor] SECRETARY may appoint any  
3 professional individual who meets the requirements under subsection (b) of this section.

4 (4) [Of the 5] THE 4 nonvoting members[:

5 (i) 1 shall be a representative of the State Health Planning and  
6 Development Agency, appointed by the Secretary; and

7 (ii) 4] shall be representatives of the Department, appointed by the  
8 Secretary.

9 (b) Each professional individual selected for the Advisory Council shall be  
10 knowledgeable in the diagnosis and treatment of hereditary and congenital disorders.

11 (c) (1) The term of a voting member is 4 years.

12 (2) The terms of the voting members are staggered as required by the terms  
13 provided for voting members of the Advisory Council on July 1, 1982. The terms of those  
14 members end as follows:

15 (i) 3 in 1983;

16 (ii) 3 in 1984;

17 (iii) 3 in 1985; and

18 (iv) 2 in 1986.

19 (3) At the end of a term, a voting member continues to serve until a  
20 successor is appointed and qualifies.

21 (4) A voting member who is appointed after a term has begun serves only  
22 for the rest of the term and until a successor is appointed and qualifies.

23 (5) A voting member who serves 2 consecutive full 4-year terms may not  
24 be reappointed for 4 years after completion of those terms.

25 (6) When a vacancy occurs, a successor shall be appointed promptly.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health may  
27 not appoint voting members to the State Advisory Council on Hereditary and Congenital  
28 Disorders until the term of a voting member serving on the Advisory Council on the  
29 effective date of this Act has expired or unless the voting member's seat is vacant.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2018.