

**Department of Legislative Services**  
Maryland General Assembly  
2018 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1502 (Delegate Lam, *et al.*)  
Health and Government Operations

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**Maryland Department of Health – Deputy Secretaries – Duties and Qualifications**

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This bill establishes oversight responsibilities and minimum qualifications for deputy secretaries within the Maryland Department of Health (MDH). Each deputy secretary must have a minimum of five years of management experience in the field to be overseen. Further, the Deputy Secretary for Public Health Services must be a licensed health care practitioner under the Health Occupations Article.

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**Fiscal Summary**

**State Effect:** The bill does not result in a material fiscal impact; however, there may be an operational impact for MDH, as discussed below.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill establishes the following oversight responsibilities.

- *Deputy Secretary for Behavioral Health:* Public mental health systems, including State hospitals that serve individuals with mental health or substance use disorders.
- *Deputy Secretary for Health Care Financing:* Office of Health Services and the Maryland Medical Assistance Program.

- *Deputy Secretary for Operations:* Office of Policy, Regulations, and Communications; Office of Police; Office of Finance; and Enterprise Shared Services.
- *Deputy Secretary for Public Health Services:* Laboratories Administration; Office of the Chief Medical Examiner; chronic care hospitals; local health departments; State Anatomy Board; Office of Health Care Quality; Office of Population Health Improvement; Office of Preparedness and Response; and Prevention and Health Promotion Administration.
- *Deputy Secretary for Developmental Disabilities:* Policy governing and programs serving individuals with developmental disabilities, including State facilities.

The bill also requires the State Traumatic Brain Injury Advisory Board to include one representative of the Office of Health Services who is appointed by the Deputy Secretary of Health Care Financing (rather than by the Director of the Office).

**Current Law/Background:** With the approval of the Governor, the Secretary of Health must appoint five deputy secretaries: (1) the Deputy Secretary for Behavioral Health; (2) the Deputy Secretary for Health Care Financing; (3) the Deputy Secretary for Operations; (4) the Deputy Secretary for Public Health Services; and (5) the Deputy Secretary for Developmental Disabilities. Deputy secretaries serve at the pleasure of the Secretary and have the duties provided by law or as delegated by the Secretary.

Chapter 539 of 2014 required the Secretary of Health, with the approval of the Governor, to appoint a Deputy Secretary for Developmental Disabilities and changed the title and operational scope of the prior Deputy Secretary for Behavioral Health and Developmental Disabilities to instead be the Deputy Secretary for Behavioral Health. The new Deputy Secretary for Developmental Disabilities replaced the Director of the Developmental Disabilities Administration (DDA) as the head of DDA.

MDH has four main divisions: (1) Public Health Services, which oversees infectious disease and environmental health concerns, family health services, and emergency preparedness and response; (2) Behavioral Health, which oversees services for emotional, substance use, addictive, and/or psychiatric disorders; (3) DDA, which provides a coordinated service delivery system for individuals with developmental and intellectual disabilities; and (4) Health Care Financing, which implements the Medicaid program, including HealthChoice and the Maryland Children's Health Program.

MDH's organizational chart is available on the Maryland State Archives [website](#). MDH advises that the deputy secretaries have the following oversight roles in practice:

- *Deputy Secretary for Behavioral Health:* Responsible for the delivery of care to individuals with behavioral health issues, including oversight of a maximum security forensic hospital as well as several regional behavioral health facilities. The position also advocates for behavioral health policy initiatives that integrate the delivery of public behavioral health services into a single spectrum of care for a variety of health conditions.
- *Deputy Secretary for Public Health Services:* Oversees the county health departments and their delivery of services to local clients. The position also oversees a number of public health services, including the Office of the Chief Medical Examiner, the Laboratories Administration, the Vital Statistics Administration, and the Office of Health Care Quality.
- *Deputy Secretary for Developmental Disabilities:* Similar to the role of the Deputy Secretary for Behavioral Health, except such oversight is specific to public health advocacy for individuals with developmental disabilities. The position also oversees several care facilities that provide treatment and housing services for this population.

MDH further advises that the Deputy Secretary for Operations and the Deputy Secretary for Health Care Financing are responsible for oversight of day-to-day operational units and the direction of the Medicaid program, respectively. However, both of these positions are presently vacant. Instead, these responsibilities have been assumed by MDH's Chief Operating Officer, who also serves as Medicaid Director.

**State Fiscal Effect:** The bill generally codifies existing oversight roles for deputy secretaries within MDH. However, the bill likely still results in an operational impact due to the way MDH is structured in practice.

According to MDH, the bill compromises recent internal operational changes that were made to the agency's structure. As noted previously, two deputy secretary positions are presently vacant and the corresponding responsibilities have been assigned to one consolidated position. Thus, the bill may result in the further shifting of roles and responsibilities, as well as other organizational changes, within MDH.

MDH also advises that, although the bill's qualification requirements likely do not affect existing deputy secretaries, the requirements limit the potential applicant pools for such positions and reduce flexibility in the hiring process.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Budget and Management; Maryland Department of Health; Maryland State Archives; Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2018  
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