

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

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

House Bill 1792 (Chair, Health and Government Operations  
Committee)(By Request - Departmental - Health)

Health and Government Operations

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**Maryland Department of Health - Deputy Secretary for Operations and Director  
of the Behavioral Health Administration - Repeal of Positions**

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This departmental bill repeals the position of Deputy Secretary for Operations within the Maryland Department of Health (MDH). Additionally, the bill reclassifies the position of Director of the Behavioral Health Administration as the Deputy Secretary for Behavioral Health and makes conforming changes.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State finances or operations, as discussed below.

**Local Effect:** None.

**Small Business Effect:** MDH has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**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 (then the Secretary of Health and Mental Hygiene), 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 (COO), who also serves as Medicaid Director.

**State Expenditures:** MDH advises that the position of Deputy Secretary for Operations will be reclassified as a management position within MDH's Office of the Secretary and that, as the associated responsibilities have already been assumed by MDH's COO, repealing this position does not have a material fiscal or operational impact. Further, reclassifying the position of Director of the Behavioral Health Administration as the Deputy Secretary for Behavioral Health codifies existing practice, as the Deputy Secretary for Behavioral Health already holds this title and has assumed the associated responsibilities.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - April 2, 2018  
mm/jc

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**G. ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**

**Department of Health  
Session 2018**

**TITLE:** Department of Health – Organizational Efficiency  
and Redundancy Reduction

**PREPARED BY:** Corey Carpenter

**(Program\Unit):** Office of the Secretary\Office of Governmental  
Affairs

**PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

  X   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 bill would reorganize the Department of Health by removing two positions, and thus have no impact on Maryland small business.