

# SENATE BILL 727

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CF HB 1293

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By: Senators Guzzone, Eckardt, Edwards, Feldman, Jennings, Lee, Peters, Serafini, Young, and Zucker ~~Zucker~~, Kelley, Augustine, Beidle, Benson, Hayes, Hershey, Klausmeier, Kramer, and Reilly

Introduced and read first time: February 4, 2019

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health – Professional and Volunteer Firefighter Innovative Cancer Screening**  
3 **Technologies Program**

4 FOR the purpose of establishing the Professional and Volunteer Firefighter Innovative  
5 Cancer Screening Technologies Program; requiring the Maryland Department of  
6 Health to administer the Program; authorizing the Department to adopt certain  
7 regulations; providing for the purpose and goals of the Program; authorizing local  
8 fire departments and volunteer fire companies and departments to apply to the  
9 Department for certain grants; requiring a county in which a volunteer fire company  
10 or department is located to assist volunteer companies or departments in filing  
11 certain applications; requiring the Department to issue a request for certain  
12 applications for grants each year; specifying the contents of the application;  
13 requiring the Department to develop a certain weighting formula; requiring the  
14 Department to prioritize awarding grants to certain applicants; requiring the  
15 Department to award the grants on a pro rata basis under certain circumstances;  
16 requiring the Governor, for certain fiscal years, to include certain appropriations of  
17 money in the annual budget bill for the Program; providing that certain  
18 appropriations and expenditures are subject to audit by the Office of Legislative  
19 Audits; requiring the Department to report to certain committees of the General  
20 Assembly on or before a certain date each year; defining a certain term; and generally  
21 relating to the Professional and Volunteer Firefighter Innovative Cancer Screening  
22 Technologies Program.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to  
2 Article – Health – General  
3 Section 13–3901 through 13–3907 to be under the new subtitle “Subtitle 39.  
4 Professional and Volunteer Firefighter Innovative Cancer Screening  
5 Technologies Program”  
6 Annotated Code of Maryland  
7 (2015 Replacement Volume and 2018 Supplement)

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

10 **Article – Health – General**

11 **SUBTITLE 39. PROFESSIONAL AND VOLUNTEER FIREFIGHTER INNOVATIVE**  
12 **CANCER SCREENING TECHNOLOGIES PROGRAM.**

13 **13–3901.**

14 **IN THIS SUBTITLE, “PROGRAM” MEANS THE PROFESSIONAL AND VOLUNTEER**  
15 **FIREFIGHTER INNOVATIVE CANCER SCREENING TECHNOLOGIES PROGRAM.**

16 **13–3902.**

17 **(A) THERE IS A PROFESSIONAL AND VOLUNTEER FIREFIGHTER**  
18 **INNOVATIVE CANCER SCREENING TECHNOLOGIES PROGRAM IN THE**  
19 **DEPARTMENT.**

20 **(B) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.**

21 **(C) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS**  
22 **SUBTITLE.**

23 **13–3903.**

24 **(A) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO LOCAL**  
25 **FIRE DEPARTMENTS AND VOLUNTEER FIRE COMPANIES AND DEPARTMENTS TO**  
26 **PROCURE INNOVATIVE CANCER SCREENING TESTS THAT ARE NOT OTHERWISE**  
27 **CONDUCTED DURING ROUTINE PHYSICAL EXAMINATIONS OR COVERED BY**  
28 **INSURANCE TO PROFESSIONAL FIREFIGHTERS EMPLOYED BY A LOCAL FIRE**  
29 **DEPARTMENT AND VOLUNTEER FIREFIGHTERS WHO SERVE IN A VOLUNTEER FIRE**  
30 **COMPANY OR DEPARTMENT.**

31 **(B) THE GOAL OF THE PROGRAM IS TO REDUCE CANCER MORTALITY**  
32 **AMONG PROFESSIONAL AND VOLUNTEER FIREFIGHTERS WHILE ADVANCING THE**

1 ADOPTION OF NOVEL TECHNOLOGIES THAT MAY ALSO BENEFIT THE HEALTH OF  
2 MARYLANDERS AND THE ECONOMY OF THE STATE.

3 13-3904.

4 (A) (1) A LOCAL FIRE DEPARTMENT OR A VOLUNTEER FIRE COMPANY OR  
5 DEPARTMENT MAY APPLY TO THE DEPARTMENT FOR A GRANT UNDER THE  
6 PROGRAM.

7 (2) THE COUNTY IN WHICH A VOLUNTEER FIRE COMPANY OR  
8 DEPARTMENT IS LOCATED SHALL ASSIST VOLUNTEER FIRE COMPANIES OR  
9 DEPARTMENTS IN FILING APPLICATIONS UNDER PARAGRAPH (1) OF THIS  
10 SUBSECTION.

11 (B) EACH YEAR, THE DEPARTMENT SHALL ISSUE A REQUEST FOR  
12 APPLICATIONS FROM LOCAL FIRE DEPARTMENTS AND VOLUNTEER FIRE  
13 COMPANIES OR DEPARTMENTS FOR GRANTS OFFERED UNDER THE PROGRAM.

14 (C) AN APPLICATION SUBMITTED IN ACCORDANCE WITH SUBSECTION (B)  
15 OF THIS SECTION SHALL INCLUDE, AT MINIMUM:

16 (1) THE NAMES AND QUALIFICATIONS OF COMPETENT HEALTH CARE  
17 PROVIDERS THAT ARE ADVISING THE APPLICANT ON THE SELECTION AND  
18 ADMINISTRATION OF CANCER SCREENING TESTS;

19 (2) THE NUMBER OF FIREFIGHTERS PROPOSED TO BE SCREENED AND  
20 THE CRITERIA FOR SELECTING THOSE FIREFIGHTERS THAT THE APPLICANT HAS  
21 DETERMINED TO BE AT THE HIGHEST CANCER RISK BASED ON THE LATEST  
22 SCIENTIFIC AND MEDICAL RESEARCH REPORTS; AND

23 (3) A DESCRIPTION OF EACH TEST PROPOSED TO BE PROCURED BY  
24 THE APPLICANT, INCLUDING:

25 (i) THE CLAIMED ACCURACY AND RELIABILITY OF THE TEST;

26 (ii) THE SCIENTIFIC AND CLINICAL EVIDENCE SUPPORTING  
27 THE CLAIMED ACCURACY AND RELIABILITY;

28 (iii) WHETHER THE TEST EMPLOYS INNOVATIVE OR NOVEL  
29 TECHNOLOGIES, SUCH AS DNA SEQUENCING, GENOMICS, PROTEOMICS,  
30 METABOLOMICS, MACHINE LEARNING, ARTIFICIAL INTELLIGENCE, BIG DATA  
31 ANALYTICS, OR OTHER STATE-OF-THE-ART TECHNOLOGY;

1 (IV) WHETHER THE TEST HAS THE ABILITY TO  
2 SIMULTANEOUSLY SCREEN FOR TWO OR MORE CANCER TYPES FOR WHICH  
3 FIREFIGHTERS HAVE A HIGHER INCIDENCE OR DEATH RATE;

4 (V) THE COST OF THE TEST; AND

5 (VI) WHETHER THE TEST IS DEVELOPED, MANUFACTURED, OR  
6 COMMERCIALIZED BY A BUSINESS ENTITY LOCATED IN THE STATE.

7 **13-3905.**

8 (A) THE DEPARTMENT SHALL DEVELOP A WEIGHTING FORMULA BY WHICH  
9 TO RATE EACH APPLICATION RECEIVED UNDER § 13-3904 OF THIS SUBTITLE.

10 (B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT  
11 SHALL PRIORITIZE AWARDED GRANTS TO APPLICANTS BASED ON THE QUALITY OF  
12 THE APPLICATION AND THE DEGREE TO WHICH THE TESTS PROPOSED TO BE  
13 PROCURED BY THE APPLICANT MEET THE FOLLOWING CRITERIA:

14 (1) THE SCIENTIFIC AND CLINICAL EVIDENCE SUPPORTING THE  
15 CLAIMED ACCURACY AND RELIABILITY OF THE TEST;

16 (2) WHETHER THE TEST EMPLOYS INNOVATIVE OR NOVEL  
17 TECHNOLOGIES;

18 (3) THE ABILITY OF THE TEST TO SIMULTANEOUSLY SCREEN FOR  
19 TWO OR MORE CANCER TYPES;

20 (4) THE COST-EFFECTIVENESS OF THE TEST; AND

21 (5) WHETHER THE TEST IS DEVELOPED, MANUFACTURED, OR  
22 COMMERCIALIZED BY A BUSINESS ENTITY LOCATED IN THE STATE.

23 (C) IF THE DEPARTMENT RECEIVES APPLICATIONS FOR GRANTS TOTALING  
24 MORE THAN THE AMOUNT OF FUNDS APPROPRIATED FOR THE PROGRAM FOR A  
25 FISCAL YEAR, THE DEPARTMENT SHALL AWARD THE GRANTS ON A PRO RATA BASIS.

26 **13-3906.**

27 (A) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE  
28 GOVERNOR SHALL INCLUDE AT LEAST ~~\$500,000~~ \$100,000 IN THE ANNUAL BUDGET  
29 FOR THE PROGRAM.

1 (B) APPROPRIATIONS AND EXPENDITURES MADE FOR THE PURPOSE OF  
2 IMPLEMENTING THE PROGRAM, INCLUDING THE USE OF ANY FUNDS RECEIVED BY A  
3 PERSON UNDER ANY COMPONENT OF THE PROGRAM, ARE SUBJECT TO AUDIT BY  
4 THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE  
5 GOVERNMENT ARTICLE.

6 13-3907.

7 ON OR BEFORE DECEMBER 1, 2020, AND EACH DECEMBER 1 THEREAFTER,  
8 THE DEPARTMENT SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE  
9 GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE  
10 HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON:

11 (1) THE NUMBER OF INDIVIDUALS WHO HAVE BEEN SCREENED  
12 THROUGH THE PROGRAM;

13 (2) THE TYPES OF TESTS USED TO SCREEN THOSE INDIVIDUALS;

14 (3) THE COSTS OF THE TESTS; AND

15 (4) THE TYPES OF CANCERS DETECTED BY THE TESTS.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
17 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.