

SENATE BILL 796

J1, J2

(9lr2827)

ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by **Senators Hayes and Lam**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Commission on Kidney Disease – Membership – Revisions**

3 FOR the purpose of ~~repealing a certain provision of law that prohibits~~ *prohibiting* certain
4 members of the State Commission on Kidney Disease from having ~~any~~ direct
5 ownership *of more than a certain percent, rather than any*, in renal dialysis or kidney
6 transplant centers that do business in the State; altering the number of names
7 required to be on a certain list; and generally relating to the membership of the State
8 Commission on Kidney Disease.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 13–305
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2018 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



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

Article – Health – General

13–305.

(a) (1) The Commission consists of 12 members appointed by the Governor.

(2) Of the 12 Commission members:

(i) 1 shall be an individual from the Renal Administrators Association;

(ii) 3 shall be individuals who are laypersons to the field of medicine;

(iii) 3 shall be individuals appointed at the discretion of the Governor who:

1. Are ~~ARE~~ medical specialists or other patient care providers in nephrology or kidney transplants; and

2. Do not have ~~any~~ direct ownership ***OF MORE THAN 30%*** in renal dialysis or kidney transplant centers that do business in the State;

(iv) 4 shall be individuals appointed as provided in paragraph (3) of this subsection; and

(v) 1 shall be a renal social worker nominated by the Maryland Chapter of the Council of Nephrology Social Workers or the National Capital Area Chapter of the Council of Nephrology Social Workers.

(3) (i) Except as provided in subparagraph (iv) of this paragraph, the Governor shall appoint 1 member from a list of individuals submitted to the Governor by each of the following organizations:

1. The Kidney Foundation of Maryland;

2. The faculty of the University of Maryland School of Medicine;

3. The faculty of the Johns Hopkins University School of Medicine; and

4. The Medical and Chirurgical Faculty of the State of Maryland.

1 (ii) The number of names on a list shall be at least [3] 2.

2 (iii) An organization shall submit its list at least 3 months before the
3 expiration of the term of the member who represents the organization.

4 (iv) If a list is not submitted to the Governor as required under
5 subparagraph (iii) of this paragraph or if a vacancy occurs for a reason other than expiration
6 of the term, the Governor may appoint any individual without the list.

7 (b) (1) The term of a member is 4 years.

8 (2) The terms of the members are staggered as required by the terms
9 provided for members of the Commission on July 1, 1982. The terms of one fourth of those
10 members end each year.

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

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

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

17 (6) (i) If a vacancy occurs, the Governor promptly shall appoint a
18 successor who will serve until the term expires.

19 (ii) The successor may be reappointed for a full term.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.