

HOUSE BILL 1082

J1, P2

2lr1892

By: **Delegate Pena–Melnyk**

Introduced and read first time: February 10, 2022

Assigned to: Health and Government Operations and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Consumer Health Information – Hub and Requirements**

3 FOR the purpose of designating a certain center as the State’s Consumer Health
4 Information Hub; requiring State and local agencies to use plain language in public
5 communications about health, safety, and social services benefits; establishing grant
6 and procurement requirements related to health literacy; and generally relating to
7 consumer health information.

8 BY adding to

9 Article – Health – General

10 Section 20–2201 through 20–2207 to be under the new subtitle “Subtitle 22.
11 Consumer Health Information”

12 Annotated Code of Maryland

13 (2019 Replacement Volume and 2021 Supplement)

14 BY adding to

15 Article – State Finance and Procurement

16 Section 14–418

17 Annotated Code of Maryland

18 (2021 Replacement Volume)

19 Preamble

20 WHEREAS, The COVID–19 pandemic has shown that the residents of Maryland
21 need plain–language information and guidance to make informed health care decisions;
22 and

23 WHEREAS, Access to accurate, consistent, evidence–based, plain–language
24 information that is culturally and linguistically appropriate is as important as access to
25 health care services, thereby making information access a health equity issue; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The federal government recognizes the importance of plain language in
2 public communication and enacted the Plain Writing Act of 2010 that requires all federal
3 executive branch agencies to use plain language in public communications; and

4 WHEREAS, Health literacy is both a personal issue of finding and using health
5 information and an organizational issue of whether health care providers, health
6 departments, and other entities make it easy or difficult for people to find and use
7 information; and

8 WHEREAS, The residents of Maryland have the burden of navigating many State
9 and local agencies, community organizations, and other sources to find accurate, consistent,
10 evidence-based health information that is easy to understand and in their preferred
11 languages; and

12 WHEREAS, Health care materials, such as health plan benefits and costs, hospital
13 discharge instructions, and prescription and over-the-counter medicine directions, are
14 challenging for people of all education levels to read and comprehend; and

15 WHEREAS, State and local agencies need support for plain-language
16 communication with the public during times of emergency and crisis response as well as
17 for nonemergency high-priority areas such as diabetes prevention and opioid abuse
18 prevention; and

19 WHEREAS, Maryland's health care system is based on the Total Cost of Care model
20 that depends on health care consumers being informed of policy changes, new services, and
21 their individual rights and responsibilities; and

22 WHEREAS, High-quality, low-cost, person-centered health care at population scale
23 is the stated goal of Maryland's health care policymakers and health services organizations;
24 and

25 WHEREAS, Maryland health care providers remain the public's preferred source for
26 health information; and

27 WHEREAS, The University of Maryland School of Public Health is unique among
28 public health schools in having a dedicated center to promote health literacy, the Herschel
29 S. Horowitz Center for Health Literacy; and

30 WHEREAS, Public education, research, and service are part of the University of
31 Maryland's mission as a public institution; now, therefore,

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

34 **Article – Health – General**

35 **SUBTITLE 22. CONSUMER HEALTH INFORMATION.**

1 **20-2201.**

2 **IN THIS SUBTITLE, “HUB” MEANS THE CONSUMER HEALTH INFORMATION**
3 **HUB.**

4 **20-2202.**

5 **THE GENERAL ASSEMBLY FINDS THAT HEALTH LITERACY IS:**

6 **(1) PART OF THE STATE’S CRITICAL PUBLIC HEALTH AND HEALTH**
7 **SYSTEMS INFRASTRUCTURE; AND**

8 **(2) AN ESSENTIAL CONTRIBUTOR TO HEALTH EQUITY.**

9 **20-2203.**

10 **STATE AND LOCAL AGENCIES SHALL USE PLAIN LANGUAGE IN PUBLIC**
11 **COMMUNICATIONS ABOUT HEALTH, SAFETY, AND SOCIAL SERVICES BENEFITS.**

12 **20-2204.**

13 **(A) THE UNIVERSITY OF MARYLAND HERSCHEL S. HOROWITZ CENTER**
14 **FOR HEALTH LITERACY IS DESIGNATED AS THE STATE’S CONSUMER HEALTH**
15 **INFORMATION HUB.**

16 **(B) THE PURPOSE OF THE HUB IS TO PROMOTE AND ENSURE PUBLIC**
17 **ACCESS TO ACCURATE, CONSISTENT, EVIDENCE-BASED, PLAIN-LANGUAGE**
18 **INFORMATION IN PREFERRED LANGUAGES TO INFORM DECISIONS ABOUT HEALTH,**
19 **SAFETY, AND SOCIAL SERVICES BENEFITS.**

20 **(C) THE HUB SHALL:**

21 **(1) PROTECT AND PROMOTE PUBLIC HEALTH BY ENGAGING WITH**
22 **STATE AND LOCAL GOVERNMENT AGENCIES, HEALTH SYSTEMS, NONPROFIT AND**
23 **COMMUNITY-BASED ORGANIZATIONS, AND OTHER ENTITIES TO CARRY OUT THE**
24 **HUB’S PURPOSE AND DUTIES UNDER THIS SUBTITLE;**

25 **(2) ESTABLISH AND PROMOTE HEALTH LITERACY CRITERIA,**
26 **CERTIFICATIONS, AND BEST PRACTICES THAT ADVANCE THE EFFECTIVENESS OF**
27 **THE STATE’S HEALTH CARE SYSTEM;**

28 **(3) IDENTIFY HEALTH LITERACY CHALLENGES AND PROVIDE**

1 RECOMMENDATIONS TO AGENCIES AND ORGANIZATIONS ON HOW TO ADDRESS THE
2 CHALLENGES, INCLUDING BY IMPROVING PROGRAMS AND MATERIALS TO PROVIDE
3 THE PUBLIC WITH ACCESS TO PLAIN-LANGUAGE HEALTH, SAFETY, AND SOCIAL
4 SERVICES BENEFITS INFORMATION;

5 (4) MONITOR AND REPORT ON THE USE OF HEALTH LITERACY AND
6 PLAIN-LANGUAGE INITIATIVES AND SUPPORT PUBLIC REPORTING OF VITAL PUBLIC
7 HEALTH INFORMATION, INCLUDING HEALTH CARE QUALITY REPORTS FROM THE
8 MARYLAND HEALTH CARE COMMISSION; AND

9 (5) SUPPORT THE IDENTIFICATION AND ONGOING TRAINING OF
10 HEALTH LITERACY OFFICERS IN STATE AND LOCAL AGENCIES.

11 (D) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE
12 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
13 \$350,000 TO THE HUB.

14 (E) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2024, THE HUB
15 SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §
16 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THIS
17 SUBTITLE, INCLUDING THE STATUS OF STATEWIDE HEALTH LITERACY EFFORTS.

18 20-2205.

19 (A) THE HUB SHALL FACILITATE CONSISTENT STATE AND LOCAL
20 GOVERNMENT USE OF HEALTH LITERACY AND PLAIN-LANGUAGE CRITERIA, WHICH
21 MAY INCLUDE BY:

22 (1) IDENTIFYING VENDORS OF HEALTH INFORMATION PRODUCTS
23 THAT ADOPT THE HUB'S HEALTH LITERACY CRITERIA;

24 (2) OFFERING A HEALTH LITERACY REVIEW OF SOURCES OF PUBLIC
25 INFORMATION OR PUBLIC MEDIA REGARDING HEALTH, SAFETY, AND SOCIAL
26 SERVICES BENEFITS INFORMATION;

27 (3) PUBLISHING TEMPLATES THAT AID THE DEVELOPMENT OF
28 PLAIN-LANGUAGE HEALTH INFORMATION MATERIALS; AND

29 (4) PUBLISHING TEMPLATES AND MODEL LANGUAGE FOR USE BY
30 STATE AGENCIES AND LOCAL GOVERNMENT AGENCIES FOR AWARDED GRANTS AND
31 CONTRACTS TO ENSURE THAT RECIPIENTS:

32 (I) ADDRESS HEALTH LITERACY ISSUES IN THEIR PROPOSALS

1 AND WORKPLANS; AND

2 (II) REFRAIN FROM CREATING ADDITIONAL HEALTH LITERACY
3 BARRIERS.

4 (B) THE HUB SHALL SUPPORT WORKFORCE DEVELOPMENT, WHICH MAY
5 INCLUDE BY:

6 (1) OFFERING OR RECOMMENDING EDUCATIONAL SESSIONS ON
7 HEALTH LITERACY FOR HEALTH PROFESSIONALS AND INDIVIDUALS WHO DEVELOP
8 HEALTH, SAFETY, AND SOCIAL SERVICES BENEFITS INFORMATION FOR THE PUBLIC;
9 AND

10 (2) PROVIDING EDUCATIONAL AND AGE-APPROPRIATE RESOURCES
11 THAT TEACH STUDENTS HEALTH LITERACY AND HEALTH LITERACY SKILLS FOR
12 PRIMARY AND SECONDARY SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION.

13 (C) THE HUB SHALL ASSIST PROGRAMS AND ORGANIZATIONS TO PROMOTE
14 COMMUNITY HEALTH LITERACY, WHICH MAY INCLUDE BY:

15 (1) OFFERING HUB ASSESSMENTS OF PROGRAMS AND
16 ORGANIZATIONS TO IDENTIFY BARRIERS TO PUBLIC ACCESS OF HEALTH, SAFETY,
17 AND SOCIAL SERVICES BENEFITS INFORMATION AND SERVICES; AND

18 (2) ASSISTING ENTITIES WITH PROVIDING CONSUMERS WITH
19 PLAIN-LANGUAGE HEALTH INFORMATION AND REFERRAL AND SUPPORT SERVICES
20 IN A CONSUMER'S PREFERRED LANGUAGE.

21 (D) IN CARRYING OUT THIS SECTION, THE HUB MAY COLLABORATE WITH
22 ENTITIES THAT DIRECTLY EDUCATE THE PUBLIC, INCLUDING EDUCATION
23 INSTITUTIONS, LIBRARIES, AND CONSUMER REFERRAL SERVICES.

24 20-2206.

25 (A) THE HUB SHALL DEVELOP AND PUBLISH CRITERIA FOR EVALUATING
26 WHETHER MEDIA OR A MEDIA CAMPAIGN FOLLOWS BEST PRACTICES FOR THE
27 PROMOTION OF HEALTH LITERACY.

28 (B) (1) IF A PERSON SUBMITS ITS MEDIA OR MEDIA CAMPAIGN TO THE
29 HUB FOR REVIEW, THE HUB SHALL USE THE CRITERIA DEVELOPED UNDER
30 SUBSECTION (A) OF THIS SECTION TO EVALUATE WHETHER THE MEDIA OR MEDIA
31 CAMPAIGN FOLLOWS BEST PRACTICES FOR THE PROMOTION OF HEALTH LITERACY.

1 **(2) THE DEPARTMENT AND THE HUB SHALL ENCOURAGE PERSONS**
2 **THAT PROMOTE PUBLIC HEALTH, HEALTH EDUCATION, OR HEALTH AWARENESS TO**
3 **SUBMIT MEDIA FOR EVALUATION BY THE HUB UNDER THIS SECTION.**

4 **(C) WHEN AWARDING GRANTS, THE DEPARTMENT AND LOCAL HEALTH**
5 **DEPARTMENTS SHALL GIVE SPECIAL CONSIDERATION, IN A MANNER DETERMINED**
6 **TO BE APPROPRIATE BY THE DEPARTMENT AWARDING THE GRANT, TO ENTITIES**
7 **THAT ARE DESIGNATED BY THE HUB TO MEET HEALTH LITERACY CRITERIA UNDER**
8 **SUBSECTION (B) OF THIS SECTION.**

9 **20-2207.**

10 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
11 **SUBTITLE.**

12 **Article – State Finance and Procurement**

13 **14-418.**

14 **STATE AGENCIES SHALL GIVE PREFERENCE TO BIDDERS OR OFFERORS THAT**
15 **THE CONSUMER HEALTH INFORMATION HUB HAS DESIGNATED AS FOLLOWING**
16 **HEALTH LITERACY PRACTICES THAT PROMOTE PUBLIC UNDERSTANDING OF**
17 **HEALTH INFORMATION UNDER § 20-2206(B) OF THE HEALTH – GENERAL ARTICLE.**

18 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July
19 1, 2022. It shall remain effective for a period of 4 years and, at the end of June 30, 2026,
20 this Act, with no further action required by the General Assembly, shall be abrogated and
21 of no further force and effect.