



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

**2022 SESSION
POSITION PAPER**

BILL NO.: SB 780 – Cybersecurity Governance Act of 2022
COMMITTEE: Education, Health and Environmental Affairs // Budget and Taxation
POSITION: Support with Amendments

TITLE: Cybersecurity Governance Act of 2022

POSITION & RATIONALE:

The Maryland Board of Physicians; the State Acupuncture Board; the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists and Music Therapists; the State Board for Certification of Residential Child Care Program Professionals; the State Board of Chiropractic Examiners; the State Board of Dental Examiners; the State Board of Massage Therapy Examiners; the State Board of Nursing; the State Board of Examiners in Optometry; the State Board of Pharmacy; the State Board of Physical Therapy Examiners; the State Board of Podiatric Medical Examiners; the State Board of Professional Counselors and Therapists; the State Board of Psychologists; and the State Board of Social Work Examiners (the Boards) are submitting this letter of support with amendments for Senate Bill (SB) 780 – Cybersecurity Governance Act of 2022.

Cybersecurity is an essential part of state government. Attacks on the Boards' network infrastructure have the potential to seriously hamper Maryland's health care workforce due to delays in licensure, and in extreme cases, can even expose protected data and put Maryland residents directly at risk.

The Boards support the development of policies and best practices to help ensure that the Boards are properly protected from cybersecurity attacks, and to minimize the harm and impact of such attacks when they do occur. The Boards also support creating processes to oversee these policies and ensure they are being properly followed. These steps will help ensure that the Boards can continue protecting the health and safety of Maryland patients through proper licensure and regulation of health care professionals.

However, the Boards are concerned that sections 5 and 6 of SB 780 would divert board resources and personnel away from the boards at a crucial time. The majority of health occupations boards are specially funded and purchase equipment and other information technology resources through funds that are generated by licensure fees. Language found on page 35, lines 17 through 20 would transfer these assets to the Department of Information Technology (DoIT). Not only would this

potentially deprive the boards of vital resources, it would also mean that individual health care practitioners were directly funding DoIT via their licensure fees.

Also concerning is the language found on page 35, lines 26 through 31, which would transfer all employees who are assigned more than 50% of the time to functions related to information technology operations or cybersecurity to DoIT. While the Boards appreciate that some oversight must exist to ensure that IT staff comply with the policies and procedures developed by DOIT, transferring information technology (IT) staff to DoIT would represent a significant loss for the Boards. The Boards rely on full-time IT staff to quickly resolve issues and maintain essential operations. Under SB 780, these vital employees would be required to report to the Secretary of Information Technology and could be reassigned without input from the Boards.

Therefore, the Boards recommend that the Committee adopt the following amendments:

Amendment 1

The Boards recommend inserting the following language on page 35, line 15 after the word “government:” **OTHER THAN A HEALTH OCCUPATIONS BOARD ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE**

Amendment 2

The Boards recommend inserting the following language on page 35, line 19 after the word “government:” **OTHER THAN A HEALTH OCCUPATIONS BOARD ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE**

Amendment 3

The Boards recommend inserting the following language on page 35, line 22 after the word “government:” **OTHER THAN A HEALTH OCCUPATIONS BOARD ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE**

Thank you for your consideration. For more information, please contact Matthew Dudzic, Manager of Policy and Legislation, Maryland Board of Physicians, 410-764-5042, or Lillian Reese, legislative liaison for the Boards, at 443-794-4757 or lillian.reese@maryland.gov.

The opinion of the Boards expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.