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HB 609 - Local Health Officers – Removal – Grounds and Process

Testimony of Delegate Joseline A. Peña-Melnyk (FAVORABLE)

Chairman Pendergrass and fellow committee members, I am pleased to present House Bill 609.

That this legislation is necessary is an unfortunate reflection on the undue political influence we have seen in our public health policy. Since the COVID-19 pandemic began, public health officials have increasingly become political targets. They have experienced retaliation from elected officials, as well as vitriol, harassment and even threats of violence from the public.

Currently, according to Maryland State law, a county level health officer is nominated by the county council, and after the appropriate qualifications have been established, appointed by the Secretary of Health. These qualifications include that all such nominees should have a master's degree in public health and at least two years' work in the field, OR at least five years' work in the field. House Bill 609 changes none of these procedures or regulations. What it does do is regulate the process of removal of county health officers by providing clear grounds for removal, and making the removal process more transparent so as to avoid political influence.

If enacted House Bill 609 would establish the following as acceptable grounds for removal of a county level health officer: immorality, misconduct in office, insubordination, incompetency, or willful neglect of duty. Additionally, it would require that if the Secretary and the governing body concur on the removal of a health officer, then the Secretary shall provide written notification to that person including the basis of removal which must be subject to the appropriate grounds I just mentioned.

House Bill 609 also provides the removed health officer the opportunity to request a public hearing on the matter within 10 days after the Secretary sends notification of the removal. If the public hearing is requested, it must then be promptly scheduled by the Secretary. These common sense measures will ensure transparency in our public health policy so that Marylanders can be assured that if a health officer is removed, it has been for the appropriate reasons.

Now more than ever, it is imperative that we guide our policy by science, and ensure that our well qualified health officers have some level of insulation from our political divides. It could very well be a matter of life and death. I respectfully request a favorable ruling on this legislation.