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By: Delegates Gordon, Hixson, Healey, and Hurson

Introduced and read first time: January 19, 1998

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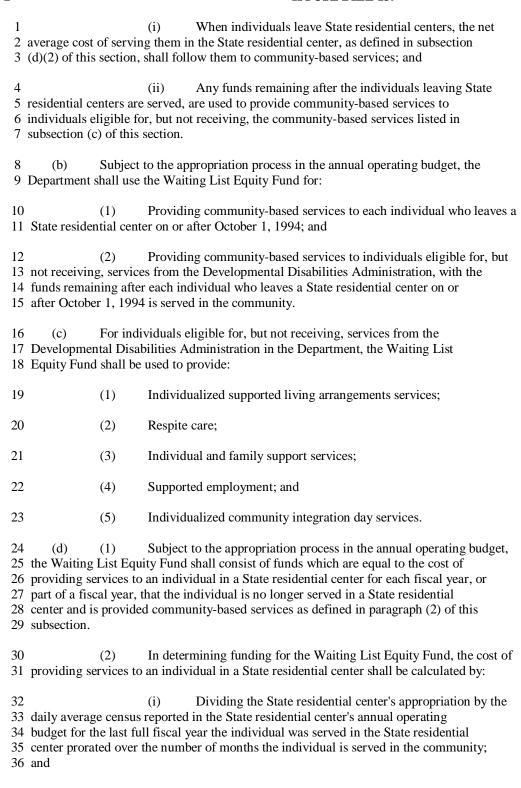
Assigned to: Environmental Matters

A BILL ENTITLED

4	4 % T	1 000	•
1	AN	ACT	concerning

2 Health Occupations - Unspent Special Funds - Waiting List Equity Fund

- 3 FOR the purpose of requiring the Comptroller of the State at the end of each fiscal
- 4 year to transfer a certain amount from moneys remaining in certain special
- 5 funds of the health occupation regulatory boards under certain circumstances;
- 6 providing a certain exception; requiring the Comptroller to distribute certain
- 7 moneys to the Waiting List Equity Fund in the Department of Health and
- 8 Mental Hygiene; and generally relating to transferring certain moneys from
- 9 certain special funds of the health occupation regulatory boards and distributing
- the moneys to the Waiting List Equity Fund.
- 11 BY repealing and reenacting, with amendments,
- 12 Article Health General
- 13 Section 7-206
- 14 Annotated Code of Maryland
- 15 (1994 Replacement Volume and 1997 Supplement)
- 16 BY repealing and reenacting, with amendments,
- 17 Article Health Occupations
- 18 Section 1A-206, 2-206, 3-206, 4-207, 5-206, 6-206, 7-206, 10-206, 11-207,
- 19 12-206, 13-207, 14-207, 16-206, 17-206, 18-207, and 19-206
- 20 Annotated Code of Maryland
- 21 (1994 Replacement Volume and 1997 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 23 MARYLAND, That the Laws of Maryland read as follows:
- 24 Article Health General
- 25 7-206.
- 26 (a) (1) There is a continuing, nonlapsing Waiting List Equity Fund in the
- 27 Department of Health and Mental Hygiene.
- 28 (2) The purpose of the Waiting List Equity Fund is to ensure that:



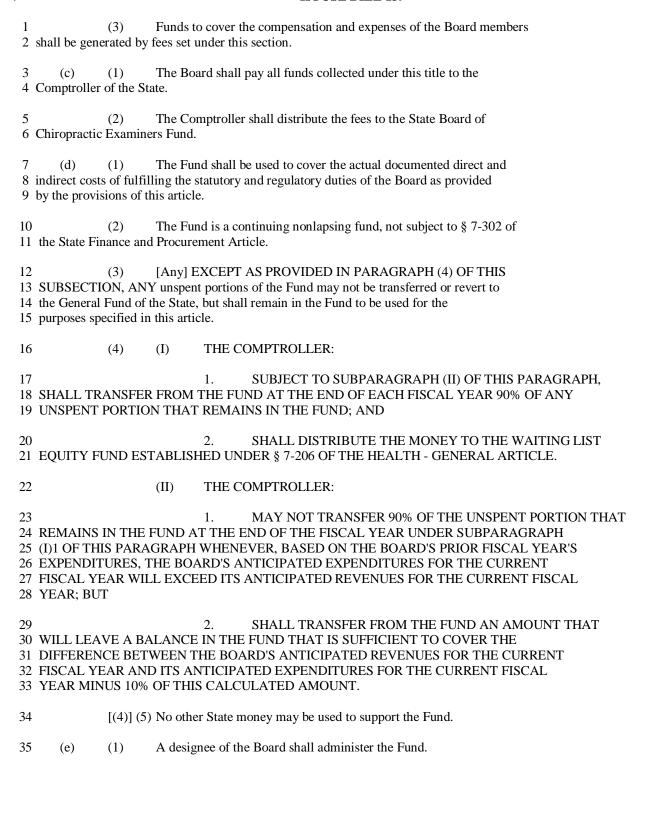
1		(ii)	Subtract	ing the following:
				The average annual itemized expenses associated with overhead costs that are demonstrated to be als remaining in the State residential center;
5 6	the provisions of §§ 7	-502 and	2. 7-503 of	The cost for new admissions certified in accordance with this title;
7 8	title;		3.	The cost for respite care in accordance with § 7-509 of this
9			4.	The cost for court-ordered commitments; and
10 11	to direct client costs.		5.	Reimbursable federal revenues under TEFRA attributable
14	2-206, 3-206, 4-207,	FUND S 5-206, 6-	SHALL C 206, 7-20	TO THE FUNDS UNDER PARAGRAPH (1) OF THIS CONSIST OF FUNDS RECEIVED UNDER §§ 1A-206, 26, 10-206, 11-207, 12-206, 13-207, 14-207, 16-206, HEALTH OCCUPATIONS ARTICLE.
16 17	(e) (1) and use of the money	(i) in the Fu		partment shall adopt regulations for the management
18 19	provide services to in	(ii) dividuals		ulations shall authorize the use of money in the Fund to
20			1.	Who are in crisis and need emergency services; and
21			2.	Who are not in crisis and do not need emergency services.
22 23	(2) appropriated for:	The Wa	iting List	Equity Fund may not be used to supplant funds
24		(i)	Emerger	ncy community placements; or
25		(ii)	Transitio	oning students.
	(f) (1) report to be submitted Services on the Waiti	d to the C	eneral A	pary 1 of each year the Secretary shall prepare a ssembly and the Department of Legislative and.
29	(2)	The repo	ort shall i	nclude:
30 31	Fund;	(i)	An acco	unting of all receipts and expenditures to and from the
32 33	residential centers du	(ii) ring the p		nber of individuals who left and entered State year;

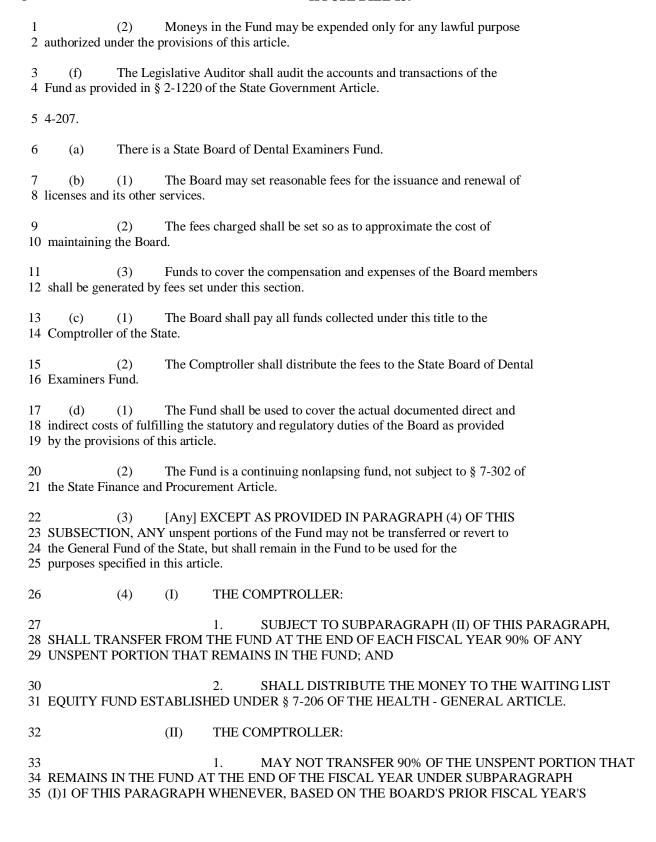
1 2	for developme				ber of addi uring the p			o were o	on the w	aiting lis	st	
	cost of provid with the provi	ing servi	ices to an	individu		e resident				ing the		
8	(g) arned on more the General Frused for the property of the p	ney in thund of the	e Waiting e State, b	g List Eq out shall 1	emain in tl	nay not b	e transfe	rred or r	evert to			
10					Article - I	Health O	ccupatio	ons				
11	1A-206.											
12	(a)	There is	an Acupı	uncture B	oard Fund							
13 14	(b) (licenses and i			rd may se	et reasonab	le fees fo	r the issu	iance and	d renewa	al of		
15 16	shall be gener				e compensa section.	ation and	expense	s of the l	Board m	embers		
17 18	(c) to the Compt				ay all fees	collected	under th	ne provis	ions of t	this title		
19 20	Fund.	(2)	The Con	nptroller	shall distrib	bute the fe	ees to the	e Acupui	ncture B	oard		
	(d) (direct and inda as provided b	lirect cos	sts of fulf	illing the						ented		
24 25	7-302 of the S				d is a conti nent Articl		onlapsing	fund, no	ot subjec	et to §		
28	SUBSECTIO the General F purposes spec	N, ANY Fund of th	unspent he State,	portions but shall		d may no	t be tran	sferred o	r revert		HIS	
30	((3)	(I)	THE CO	MPTROL	LER:						
	SHALL TRA UNSPENT P					E END O	F EACH					
34 35	EQUITY FU	ND EST			SHALL D DER § 7-20							LIST

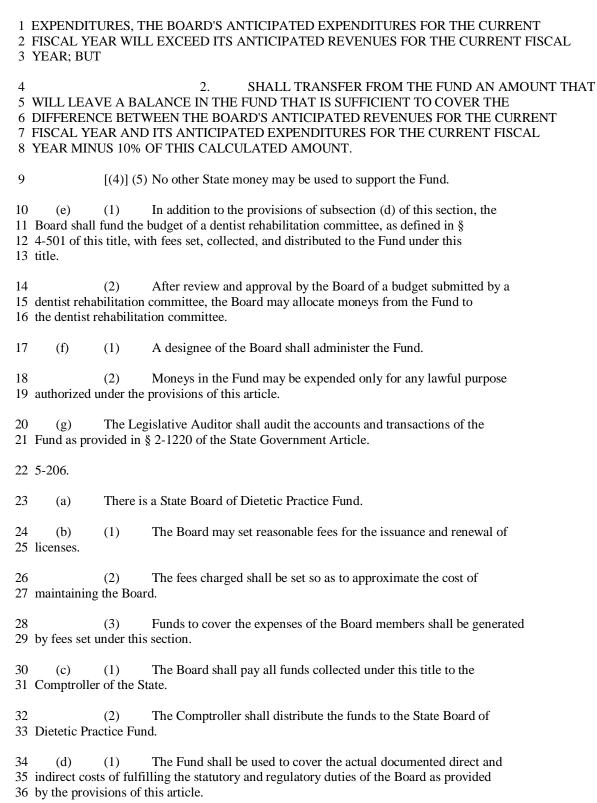
36 by the provisions of this article.

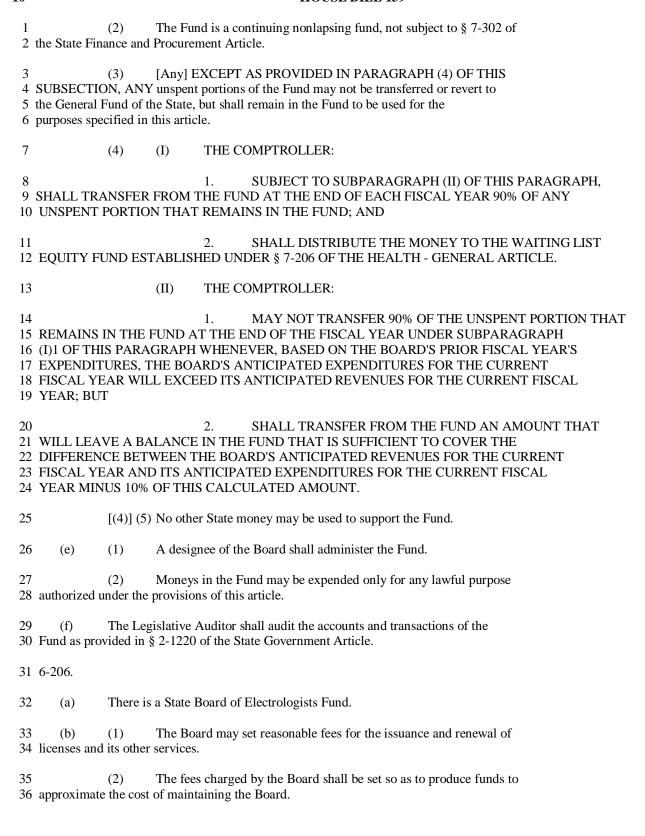
1 (II)THE COMPTROLLER: 2 MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT 1. 3 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH 4 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S 5 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT 6 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL 7 YEAR; BUT 8 SHALL TRANSFER FROM THE FUND AN AMOUNT THAT 2. 9 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE 10 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT 11 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL 12 YEAR MINUS 10% OF THIS CALCULATED AMOUNT. 13 The Legislative Auditor shall audit the accounts and transactions of the 14 Fund as provided in § 2-1220 of the State Government Article. 15 (f) (1) A designee of the Board shall administer the Fund. Moneys in the Fund may be expended only for a lawful purpose 16 17 authorized under this article. 18 2-206. 19 There is a State Board of Examiners for Audiologists, Hearing Aid 20 Dispensers, and Speech-Language Pathologists Fund. 21 (1) The Board may set reasonable fees for the issuance and renewal of (b) 22 licenses and its other services. 23 The fees charged shall be set so as to produce funds to approximate 24 the cost of maintaining the Board. Funds to cover the compensation and expenses of the Board members 26 shall be generated by fees set under this section. In accordance with the budget of the Board, the Board may pay expenses 28 incurred in carrying out the provisions of this title. 29 The Board shall pay all funds collected under this title to the (d) (1) 30 Comptroller of the State. The Comptroller shall distribute the fees to the State Board of 31 32 Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language 33 Pathologists Fund. 34 (e) The Fund shall be used to cover the actual documented direct and (1) 35 indirect costs of fulfilling the statutory and regulatory duties of the Board as provided

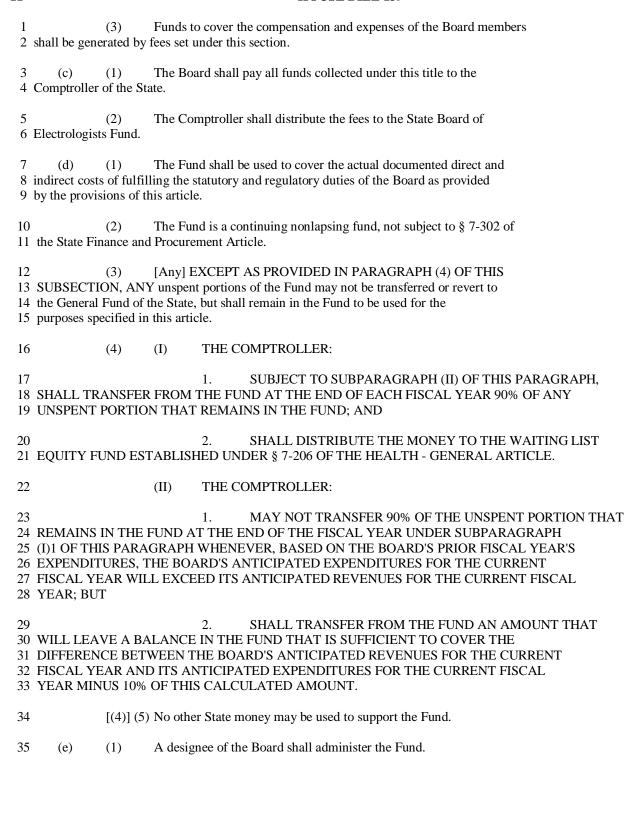
1	the State Finar				ntinuing nonlapsing fund, not subject to § 7-302 of cle.
5	SUBSECTION	N, ANY and of th	unspent e State, l	portions out shall i	AS PROVIDED IN PARAGRAPH (4) OF THIS of the Fund may not be transferred or revert to remain in the Fund to be used for the
7	((4)	(I)	THE CC	OMPTROLLER:
				HE FUN	SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ND AT THE END OF EACH FISCAL YEAR 90% OF ANY NS IN THE FUND; AND
11 12		ND EST		2. ED UNE	SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST DER § 7-206 OF THE HEALTH - GENERAL ARTICLE.
13			(II)	THE CC	OMPTROLLER:
16 17 18	REMAINS IN (I)1 OF THIS EXPENDITU	PARAC IRES, TI	GRAPH V HE BOA	THE EI WHENE' RD'S AN	MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT END OF THE FISCAL YEAR UNDER SUBPARAGRAPH EVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S NTICIPATED EXPENDITURES FOR THE CURRENT ANTICIPATED REVENUES FOR THE CURRENT FISCAL
22 23	WILL LEAV DIFFERENC FISCAL YEA	E BETV AR AND	LANCE VEEN TI ITS AN	HE BOAI	SHALL TRANSFER FROM THE FUND AN AMOUNT THAT FUND THAT IS SUFFICIENT TO COVER THE RD'S ANTICIPATED REVENUES FOR THE CURRENT TED EXPENDITURES FOR THE CURRENT FISCAL JLATED AMOUNT.
25	[(4)] (5)	No other	State mo	oney may be used to support the Fund.
26	(f) ((1)	A design	iee of the	e Board shall administer the Fund.
27 28	authorized un				und may be expended only for any lawful purpose article.
29 30					hall audit the accounts and transactions of the ate Government Article.
31	3-206.				
32	(a) T	There is	a State B	oard of C	Chiropractic Examiners Fund.
33 34	(b) (licenses and in			rd may se	set reasonable fees for the issuance and renewal of
35 36	the cost of ma				I shall be set so as to produce funds to approximate

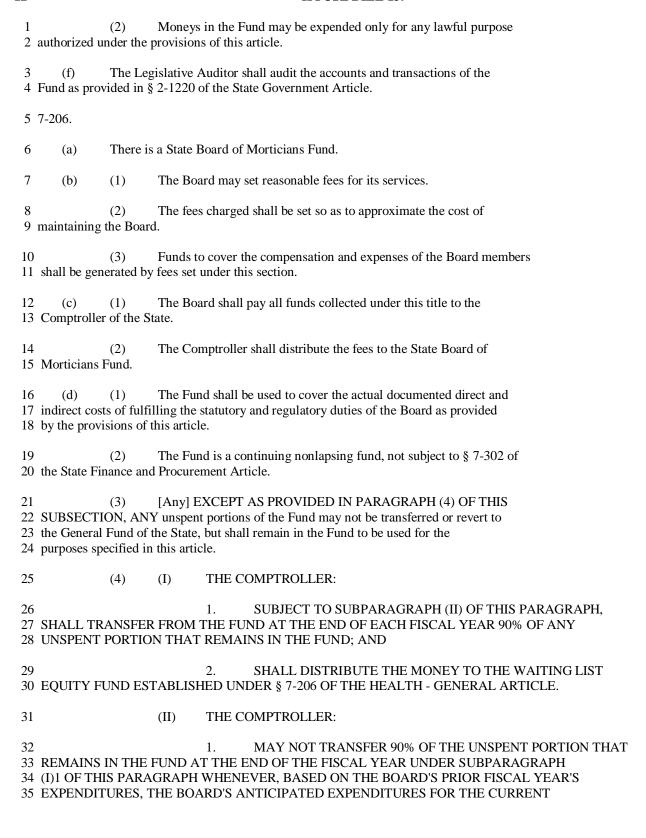


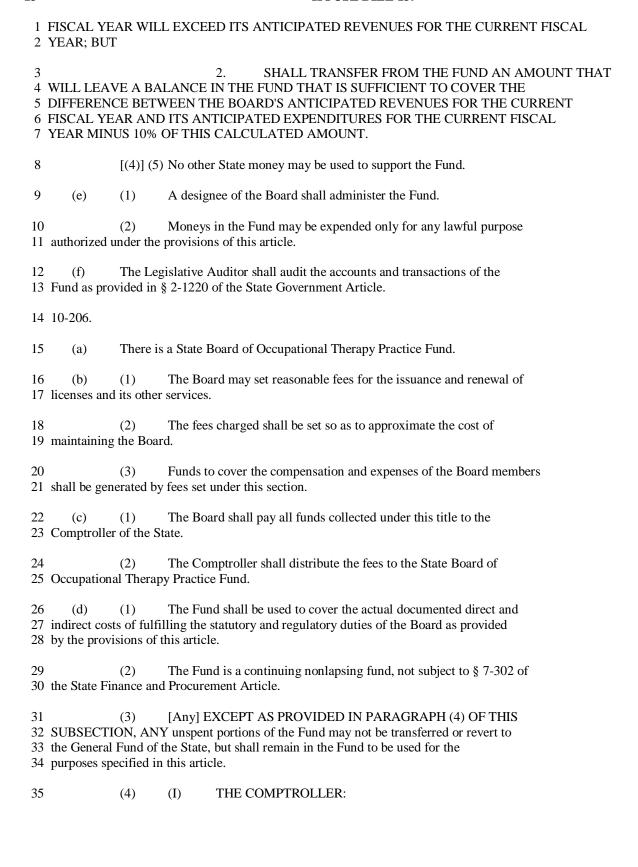




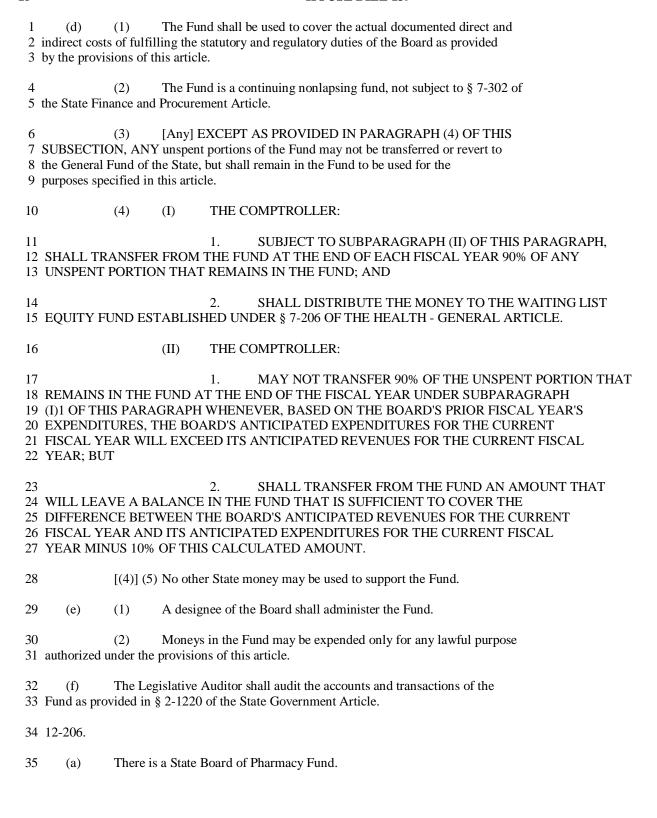


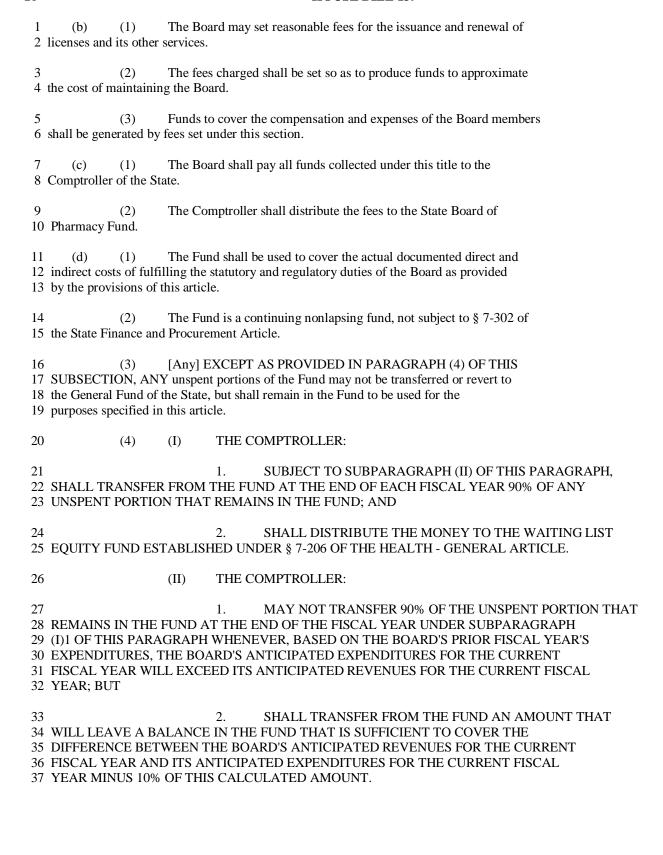




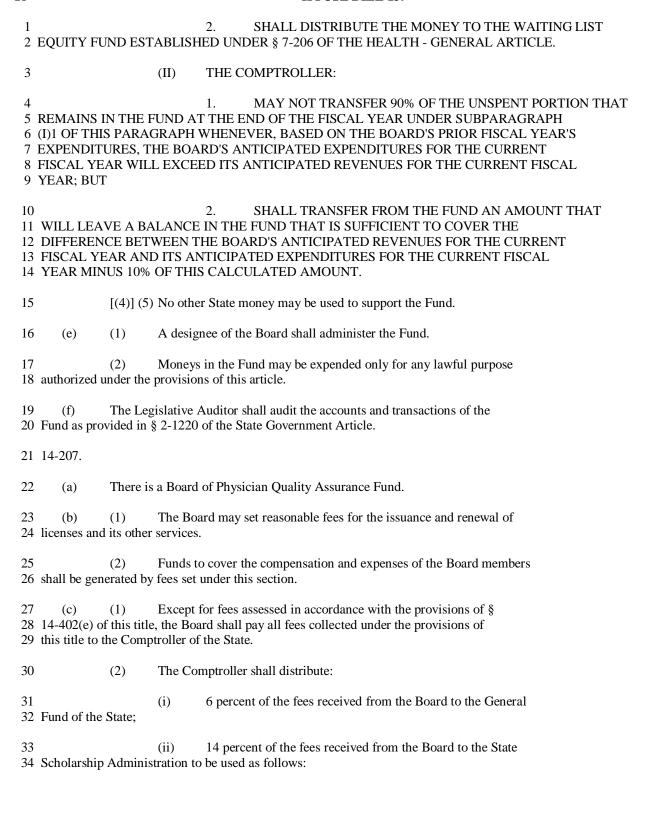


1 1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, 2 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY 3 UNSPENT PORTION THAT REMAINS IN THE FUND; AND SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST 5 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE. 6 (II)THE COMPTROLLER: 7 MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT 1. 8 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH 9 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S 10 EXPENDITURES. THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT 11 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL 12 YEAR; BUT 13 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT 14 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE 15 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT 16 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL 17 YEAR MINUS 10% OF THIS CALCULATED AMOUNT. 18 [(4)] (5) No other State money may be used to support the Fund. 19 A designee of the Board shall administer the Fund. (e) (1) 20 (2) Moneys in the Fund may be expended only for any lawful purpose 21 authorized under the provisions of this article. 22 (f) The Legislative Auditor shall audit the accounts and transactions of the 23 Fund as provided in § 2-1220 of the State Government Article. 24 11-207. 25 There is a State Board of Examiners in Optometry Fund. (a) 26 (b) (1) The Board may set reasonable fees for the issuance and renewal of 27 licenses and certificates and its other services. 28 (2) The fees charged shall be set so as to produce funds to approximate 29 the cost of maintaining the Board. 30 Funds to cover the compensation and expenses of the Board members (3) 31 shall be generated by fees set under this section. 32 The Board shall pay all funds collected under this title to the 33 Comptroller of the State. The Comptroller shall distribute the fees to the State Board of 35 Examiners in Optometry Fund.

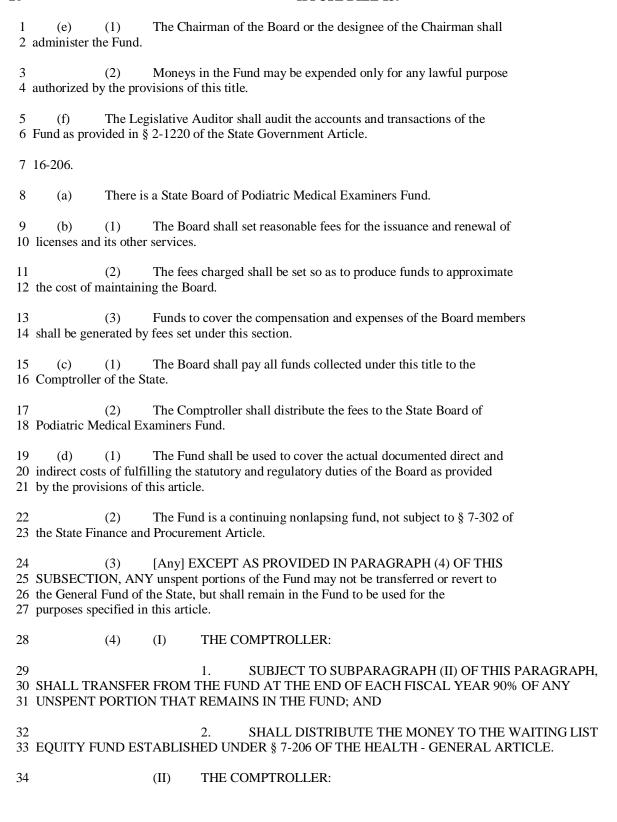


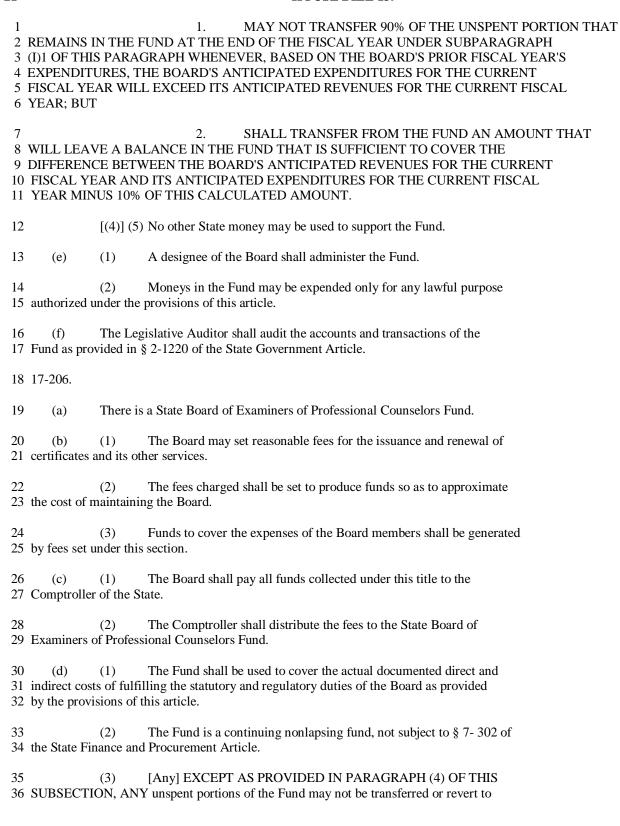


1		[(4)] (5)	No other	State mo	oney may b	be used to	support	the Fund	•		
2	(e)	(1)	A designe	ee of the	Board sha	ıll admini	ster the I	Fund.			
3	authorized u	(2) nder the p			nd may be rticle.	expende	d only fo	r any law	ful purpo	ose	
5 6	(f) rehabilitation		rd may all tee describ				d to a ph	armacist			
7 8	(g) Fund as prov		islative Au 2-1220 of					ansactions	s of the		
9	13-207.										
10	(a)	There is	a State Bo	oard of P	hysical Th	nerapy Ex	aminers	Fund.			
11 12	(b) licenses and	(1) its other		d may se	et reasonab	ole fees fo	r the issi	uance and	renewal	of	
13 14	maintaining	(2) the Board		charged	shall be se	t so as to	approxii	nate the c	cost of		
15 16	shall be gene	(3) erated by			e compens section.	ation and	expense	s of the B	Soard mei	mbers	
17 18	(c) Comptroller	(1) of the St		d shall p	ay all fund	ls collecte	ed under	this title t	to the		
19 20	Physical The	(2) erapy Exa		-	shall distri	bute the f	ees to th	e State Bo	oard of		
	(d) indirect cost by the provi		ling the st	atutory a	used to co and regulat					ıd	
24 25	the State Fir	(2) nance and			tinuing no cle.	nlapsing	fund, no	t subject t	o § 7-302	2 of	
28	SUBSECTION the General purposes specific	Fund of t	unspent phe State, b	portions out shall		d may no	t be tran	sferred or			
30		(4)	(I)	ГНЕ СО	MPTROL	LER:					
	SHALL TR. UNSPENT		FROM T	HE FUN	D AT TH	E END C	F EACH			HIS PARAO 90% OF A	

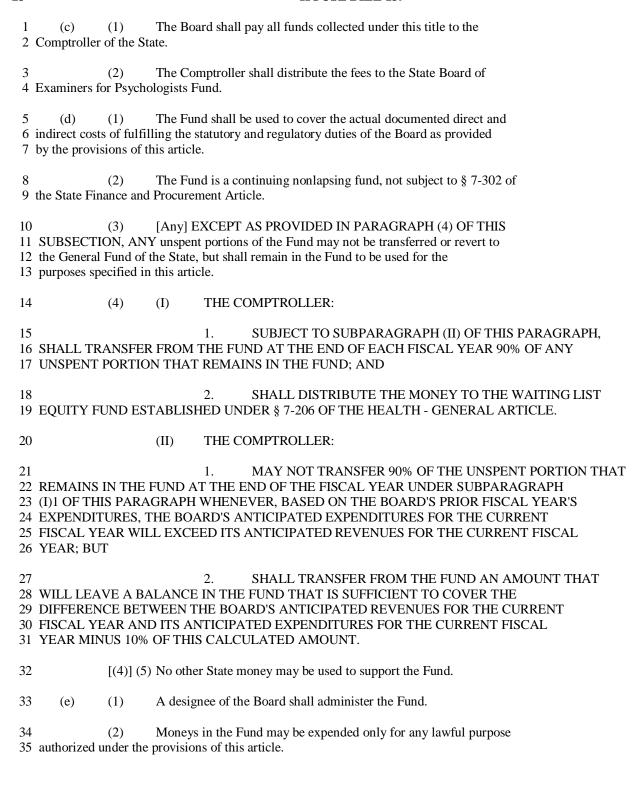


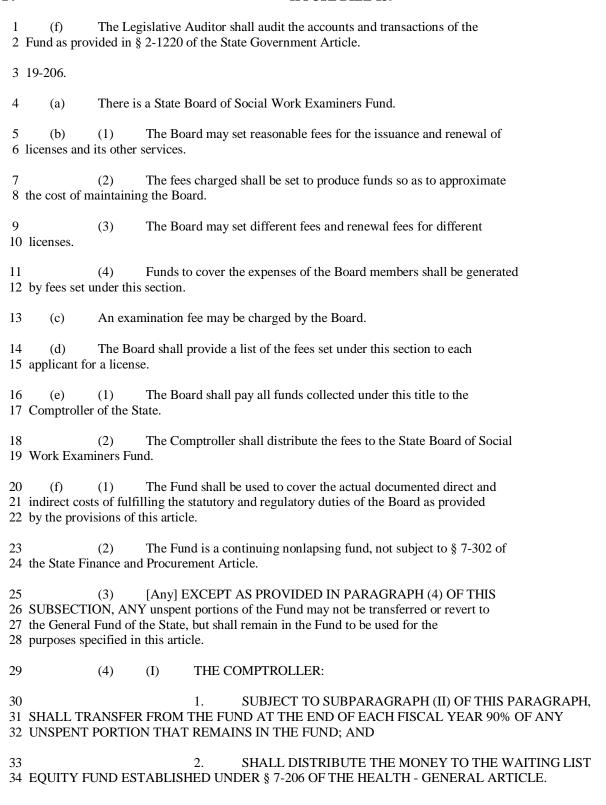
1 2	1. One-half to make grants under the Health Manpower Shortage Incentive Grant Program under § 18-803 of the Education Article; and
5 6 7	2. One-half to make grants under the Loan Assistance Repayment Program under § 18-1502(c) of the Education Article to physicians engaged in primary care or to medical residents specializing in primary care who agree to practice for at least 2 years as primary care physicians in a geographic area of the State that has been designated by the Secretary of Health and Mental Hygiene as being medically underserved; and
9 10	(iii) The balance of the fees to the Board of Physician Quality Assurance Fund.
	(d) (1) The Fund shall be used exclusively to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Board as provided by the provisions of this title.
14 15	(2) (i) The Fund is a continuing, nonlapsing fund, not subject to § 7-302 of the State Finance and Procurement Article.
18	(ii) [Any] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, ANY unspent portions of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund to be used for the purposes specified in this title.
20	(3) (I) THE COMPTROLLER:
	1. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY UNSPENT PORTION THAT REMAINS IN THE FUND; AND
24 25	2. SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE.
26	(II) THE COMPTROLLER:
29 30 31	1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL YEAR; BUT
35 36	2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL YEAR MINUS 10% OF THIS CALCULATED AMOUNT.
38	[(3)] (4) No other State money may be used to support the Fund.





1 the General Fund of the State, but shall remain in the Fund to be used for the 2 purposes specified in this article. 3 (4) (I) THE COMPTROLLER: 4 SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, 1. 5 SHALL TRANSFER FROM THE FUND AT THE END OF EACH FISCAL YEAR 90% OF ANY 6 UNSPENT PORTION THAT REMAINS IN THE FUND: AND 7 SHALL DISTRIBUTE THE MONEY TO THE WAITING LIST 2. 8 EQUITY FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE. 9 THE COMPTROLLER: (II)10 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT 11 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH 12 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S 13 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT 14 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL 15 YEAR; BUT SHALL TRANSFER FROM THE FUND AN AMOUNT THAT 16 2. 17 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE 18 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT 19 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL 20 YEAR MINUS 10% OF THIS CALCULATED AMOUNT. 21 [(4)] (5) No other State money may be used to support the Fund. 22 (e) (1) A designee of the Board shall administer the Fund. 23 Moneys in the Fund may be expended only for any lawful purpose (2) 24 authorized under the provisions of this article. The Legislative Auditor shall audit the accounts and transactions of the 25 26 Fund as provided in § 2-1220 of the State Government Article. 27 18-207. 28 There is a State Board of Examiners for Psychologists Fund. (a) 29 The Board shall set reasonable fees for the issuance and renewal of (b) (1) 30 licenses and its other services. 31 (2)The fees charged shall be set so as to produce revenues that 32 approximate the cost of maintaining the Board. 33 Funds to cover the compensation and expenses of the Board members 34 shall be generated by fees set under this section.





- 1 (II) THE COMPTROLLER:

 2 1. MAY NOT TRANSFER 90% OF THE UNSPENT PORTION THAT

 3 REMAINS IN THE FUND AT THE END OF THE FISCAL YEAR UNDER SUBPARAGRAPH

 4 (I)1 OF THIS PARAGRAPH WHENEVER, BASED ON THE BOARD'S PRIOR FISCAL YEAR'S

 5 EXPENDITURES, THE BOARD'S ANTICIPATED EXPENDITURES FOR THE CURRENT

 6 FISCAL YEAR WILL EXCEED ITS ANTICIPATED REVENUES FOR THE CURRENT FISCAL

 7 YEAR; BUT
- 8 2. SHALL TRANSFER FROM THE FUND AN AMOUNT THAT 9 WILL LEAVE A BALANCE IN THE FUND THAT IS SUFFICIENT TO COVER THE
- 10 DIFFERENCE BETWEEN THE BOARD'S ANTICIPATED REVENUES FOR THE CURRENT
- 11 FISCAL YEAR AND ITS ANTICIPATED EXPENDITURES FOR THE CURRENT FISCAL
- 12 YEAR MINUS 10% OF THIS CALCULATED AMOUNT.
- [(4)] (5) No other State money may be used to support the Fund.
- 14 (g) (1) A designee of the Board shall administer the Fund.
- 15 (2) Moneys in the Fund may be expended only for any lawful purpose 16 authorized under the provisions of this article.
- 17 (h) The Legislative Auditor shall audit the accounts and transactions of the 18 Fund as provided in § 2-1220 of the State Government Article.
- 19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 20 July 1, 1998.