

HOUSE BILL 247

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2002 Regular Session  
(21r0522)

**ENROLLED BILL**

-- *Environmental Matters/Education, Health, and Environmental Affairs* --

Introduced by **Delegates Hammen, Boutin, Branch, Conroy, D. Davis, Doory, Dypski, Eckardt, Finifter, Harrison, A. Jones, Klausmeier, Krysiak, Love, McHale, McIntosh, Morhaim, Nathan-Pulliam, Rosenberg, and ~~Zirkin~~ Zirkin, and Snodgrass**

Read and Examined by Proofreaders:

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Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Arthritis Prevention and Control Act**

3 FOR the purpose of establishing the Arthritis Prevention and Control Program in the  
4 Department of Health and Mental Hygiene; defining certain terms; providing  
5 for certain findings of the General Assembly related to arthritis; providing for  
6 the purposes of the Program; altering the powers and duties of the State  
7 Advisory Council on Arthritis and Related Diseases; providing for the duties of  
8 the Secretary of Health and Mental Hygiene in administering the Program;  
9 providing for the funding of the Program; and generally relating to the Arthritis  
10 Prevention and Control Program.

11 BY adding to

12 Article - Health - General

13 Section 13-501, 13-503, 13-504, 13-510, 13-511, and 13-512

1 Annotated Code of Maryland  
2 (2000 Replacement Volume and 2001 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article - Health - General  
5 Section 13-501, 13-502, 13-503, 13-504, 13-505, and 13-506 to be under the  
6 amended subtitle "Subtitle 5. Arthritis Prevention and Control Act"  
7 Annotated Code of Maryland  
8 (2000 Replacement Volume and 2001 Supplement)

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

11 **Article - Health - General**

12 Subtitle 5. [Advisory Counsel on] Arthritis [and Related Diseases] PREVENTION  
13 AND CONTROL ACT.

14 13-501.

15 THE ARTHRITIS PREVENTION AND CONTROL PROGRAM IS A PROGRAM IN THE  
16 DEPARTMENT FOR THE PURPOSE OF RAISING PUBLIC AWARENESS, EDUCATING  
17 CONSUMERS, AND EDUCATING AND TRAINING HEALTH PROFESSIONALS, TEACHERS,  
18 AND PROVIDERS ABOUT ARTHRITIS.

19 [13-501.] 13-502.

20 (A) In this subtitle[,] THE FOLLOWING WORDS HAVE THE MEANINGS  
21 INDICATED.

22 (B) "Advisory Council" means the State Advisory Council on Arthritis and  
23 Related Diseases.

24 (C) "PROGRAM" MEANS THE ARTHRITIS PREVENTION AND CONTROL  
25 PROGRAM.

26 13-503.

27 THE GENERAL ASSEMBLY FINDS THAT:

28 (1) ARTHRITIS ENCOMPASSES MORE THAN 100 DISEASES AND  
29 CONDITIONS THAT AFFECT JOINTS, THE SURROUNDING TISSUES, AND OTHER  
30 CONNECTIVE TISSUES;

31 (2) AS ONE OF THE MOST COMMON FAMILY OF DISEASES IN THE UNITED  
32 STATES, ARTHRITIS AFFECTS NEARLY ONE OF EVERY SIX AMERICANS AND WILL  
33 IMPACT AN ESTIMATED 60,000,000 PEOPLE BY THE YEAR 2020;

1 (3) ARTHRITIS IS THE LEADING CAUSE OF DISABILITY IN THE UNITED  
2 STATES, LIMITING DAILY ACTIVITIES FOR MORE THAN 7,000,000 PEOPLE;

3 (4) ALTHOUGH PREVAILING MYTHS INACCURATELY PORTRAY  
4 ARTHRITIS AS AN OLD PERSON'S DISEASE, ARTHRITIS IS A MULTIGENERATIONAL  
5 DISEASE THAT HAS BECOME ONE OF THE COUNTRY'S MOST PRESSING HEALTH  
6 PROBLEMS;

7 (5) ARTHRITIS HAS A SIGNIFICANT IMPACT ON QUALITY OF LIFE FOR  
8 THE INDIVIDUAL EXPERIENCING THE PAINFUL SYMPTOMS AND FOR THE FAMILY  
9 MEMBERS AND CAREGIVERS PROVIDING FOR THAT INDIVIDUAL;

10 (6) THE ECONOMIC AND SOCIAL COSTS ASSOCIATED WITH TREATING  
11 ARTHRITIS AND THE COMPLICATIONS OF ARTHRITIS ARE ESTIMATED AT ALMOST  
12 \$80,000,000,000 ANNUALLY;

13 (7) CURRENTLY, THE CHALLENGE EXISTS TO ENSURE DELIVERY OF  
14 EFFECTIVE, BUT OFTEN UNDERUTILIZED, INTERVENTIONS THAT ARE NECESSARY IN  
15 THE PREVENTION OR REDUCTION OF ARTHRITIS-RELATED PAIN AND DISABILITY;

16 (8) THE LARGE QUANTITY OF PUBLIC INFORMATION AND PROGRAMS  
17 ABOUT ARTHRITIS REMAIN INADEQUATELY DISSEMINATED AND ARE INSUFFICIENT  
18 IN ADDRESSING THE NEEDS OF SPECIFIC DIVERSE POPULATIONS AND OTHER  
19 UNDERSERVED GROUPS;

20 (9) THE ARTHRITIS FOUNDATION, THE CENTERS FOR DISEASE CONTROL  
21 AND PREVENTION, AND THE ASSOCIATION OF STATE AND TERRITORIAL HEALTH  
22 OFFICIALS HAVE LED THE DEVELOPMENT OF A PUBLIC HEALTH STRATEGY, THE  
23 NATIONAL ARTHRITIS ACTION PLAN, TO ENSURE THE DELIVERY OF EFFECTIVE, BUT  
24 OFTEN UNDERUTILIZED INTERVENTIONS THAT ARE NECESSARY IN THE  
25 PREVENTION OR REDUCTION OF ARTHRITIS-RELATED PAIN AND DISABILITY; AND

26 (10) EDUCATING THE PUBLIC AND HEALTH CARE COMMUNITY  
27 THROUGHOUT THE STATE ABOUT ARTHRITIS IS OF PARAMOUNT IMPORTANCE AND IS  
28 IN EVERY RESPECT IN THE PUBLIC INTEREST AND TO THE BENEFIT OF ALL  
29 RESIDENTS OF THE STATE.

30 13-504.

31 THE PURPOSES OF THIS SUBTITLE ARE TO:

32 (1) CREATE AND FOSTER A STATEWIDE PROGRAM THAT PROMOTES  
33 PUBLIC AWARENESS AND INCREASES KNOWLEDGE ABOUT THE CAUSES OF  
34 ARTHRITIS, THE IMPORTANCE OF EARLY DIAGNOSIS AND APPROPRIATE  
35 MANAGEMENT, EFFECTIVE PREVENTION STRATEGIES, AND PAIN PREVENTION AND  
36 MANAGEMENT;

37 (2) ENHANCE UNDERSTANDING OF ARTHRITIS BY DISSEMINATING TO  
38 PATIENTS, HEALTH PROFESSIONALS, AND THE PUBLIC:

- 1 (I) EDUCATIONAL MATERIALS;
- 2 (II) INFORMATION ON RESEARCH RESULTS;
- 3 (III) INFORMATION ON SERVICES PROVIDED; AND
- 4 (IV) STRATEGIES FOR PREVENTION AND CONTROL;
- 5 (3) ESTABLISH A SOLID SCIENTIFIC BASE OF KNOWLEDGE ON THE  
6 PREVENTION OF ARTHRITIS AND RELATED DISABILITY THROUGH SURVEILLANCE,  
7 EPIDEMIOLOGY, AND PREVENTION RESEARCH;
- 8 (4) UTILIZE EDUCATIONAL AND TRAINING RESOURCES AND SERVICES  
9 DEVELOPED BY ORGANIZATIONS WITH APPROPRIATE EXPERTISE AND KNOWLEDGE  
10 OF ARTHRITIS AND USE AVAILABLE TECHNICAL ASSISTANCE;
- 11 (5) EVALUATE THE NEED FOR IMPROVING THE QUALITY AND  
12 ACCESSIBILITY OF EXISTING COMMUNITY-BASED ARTHRITIS SERVICES;
- 13 (6) INCREASE AWARENESS ABOUT THE PREVENTION, DETECTION, AND  
14 TREATMENT OF ARTHRITIS AMONG STATE AND LOCAL HEALTH OFFICIALS,  
15 PROVIDERS, PROFESSIONALS, AND POLICY MAKERS;
- 16 (7) IMPLEMENT AND COORDINATE STATE AND LOCAL PROGRAMS AND  
17 SERVICES TO REDUCE THE PUBLIC HEALTH BURDEN OF ARTHRITIS; AND
- 18 (8) IMPROVE THE QUALITY OF LIFE AND CONTAIN HEALTH CARE COSTS  
19 FOR INDIVIDUALS WITH ARTHRITIS AND THEIR FAMILIES.

20 [13-502.] 13-505.

21 There is a State Advisory Council on Arthritis and Related Diseases FOR THE  
22 PROGRAM.

23 [13-503.] 13-506.

24 (a) (1) The Advisory Council consists of 15 members appointed by the  
25 Governor.

26 (2) Of the 15 members:

27 (i) 2 shall be representatives of the physicians and arthritis health  
28 professionals at the State's 2 medical schools;

29 (ii) 1 shall be a representative of the Department;

30 (iii) 1 shall be a representative of the Division of Vocational  
31 Rehabilitation;

32 (iv) 1 shall be a representative of the Department of Aging;

1 (v) 1 shall be a representative of the Governor's Committee on  
2 Employment of the Handicapped;

3 (vi) 3 shall be members of voluntary agencies, including the  
4 Maryland Chapter of the Arthritis Foundation, the Maryland Lupus Foundation, and  
5 Home Health Care Inc.;

6 (vii) 2 shall be representatives from hospitals or health professionals  
7 or both outside of the major metropolitan areas;

8 (viii) 2 shall be representatives from the health care industry,  
9 including the pharmaceutical industry and third-party payors; and

10 (ix) 2 shall be arthritic patients or family members of arthritic  
11 patients.

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

13 (2) The terms of members are staggered as required by the terms  
14 provided for members of the Advisory Council on July 1, 1989.

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

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

19 (c) The Governor may remove a member for incompetence or misconduct.

20 [13-504.] 13-507.

21 From among the members of the State Advisory Council, the Governor shall  
22 appoint a chairman for a 2-year term.

23 [13-505.] 13-508.

24 (a) A majority of the members then serving on the Advisory Council is a  
25 quorum.

26 (b) The Advisory Council shall determine the times and places of its meetings.

27 (c) A member of the Advisory Council:

28 (1) May not receive compensation; but

29 (2) Is entitled to reimbursement for expenses under the Standard State  
30 Travel Regulations, as provided in the State budget.

31 (d) The Secretary shall designate the staff necessary to carry out this subtitle.

1 [13-506.] 13-509.

2 In addition to the powers and duties set forth elsewhere in this subtitle, the  
3 Advisory Council has the following powers and duties:

4 (1) TO ADVISE THE DEPARTMENT ON THE IMPLEMENTATION OF THE  
5 PROGRAM;

6 (2) TO PROVIDE ASSISTANCE TO THE DEPARTMENT IN THE  
7 DEVELOPMENT OF THE PROGRAM BY:

8 [(1)] (I) [To study and to make recommendations for] RECOMMENDING  
9 an integrated State program of education and applied research in gerontology and  
10 geriatrics;

11 [(2)] (II) [To develop and coordinate] DEVELOPING AND COORDINATING  
12 programs in vocational rehabilitation and industry designed to assist individuals with  
13 arthritis to remain productive members of the State's workforce;

14 [(3)] (III) [To coordinate] COORDINATING the development of a strategic  
15 plan of patient education throughout the State, involving State and local health  
16 departments, private agencies, pharmaceutical companies, medical schools, and  
17 related professional organizations;

18 [(4)] (IV) [To address] ADDRESSING gaps in the delivery of State service  
19 and to make recommendations designed to contain costs associated with arthritis  
20 prevention, treatment, and vocational training;

21 [(5)] (V) [To coordinate] COORDINATING the activities of public and  
22 private agencies, medical schools, and related professional groups to improve the  
23 quality of life for individuals with arthritis and their families; and

24 (VI) MAKING ANY OTHER RECOMMENDATIONS FOR CARRYING OUT  
25 THE PURPOSES OF THE PROGRAM AS PROVIDED IN § 13-504 OF THIS SUBTITLE; AND

26 [(6)] (3) To submit a report annually to the Governor on the work of the  
27 Advisory Council.

28 13-510.

29 THE SECRETARY SHALL:

30 (1) PROVIDE SUFFICIENT STAFF TO IMPLEMENT THE PROGRAM;

31 (2) PROVIDE APPROPRIATE TRAINING FOR STAFF OF THE PROGRAM;

32 (3) IDENTIFY THE APPROPRIATE ORGANIZATIONS TO CARRY OUT THE  
33 PROGRAM;

34 (4) BASE THE PROGRAM ON THE MOST CURRENT SCIENTIFIC  
35 INFORMATION AND FINDINGS;

1           (5)       WORK TO INCREASE AND IMPROVE COMMUNITY-BASED SERVICES  
2 AVAILABLE TO PEOPLE WITH ARTHRITIS AND THEIR FAMILY MEMBERS;

3           (6)       WORK WITH GOVERNMENTAL OFFICES, NATIONAL VOLUNTARY  
4 HEALTH ORGANIZATIONS AND THEIR LOCAL CHAPTERS, COMMUNITY AND BUSINESS  
5 LEADERS, COMMUNITY ORGANIZATIONS, AND HEALTH CARE AND HUMAN SERVICE  
6 PROVIDERS TO COORDINATE EFFORTS AND MAXIMIZE STATE RESOURCES IN THE  
7 AREAS OF PREVENTION, EDUCATION, DETECTION, PAIN MANAGEMENT, AND  
8 TREATMENT OF ARTHRITIS; AND

9           (7)       IDENTIFY AND, WHEN APPROPRIATE, USE EVIDENCE-BASED  
10 ARTHRITIS PROGRAMS AND OBTAIN RELATED MATERIALS AND SERVICES FROM  
11 ORGANIZATIONS WITH APPROPRIATE EXPERTISE AND KNOWLEDGE OF ARTHRITIS.

12 13-511.

13       THE OPERATION, MANAGEMENT, AND ADMINISTRATION OF THE PROGRAM  
14 SHALL BE FUNDED AS PROVIDED FOR IN THE STATE BUDGET.

15 13-512.

16       THIS SUBTITLE MAY BE CITED AS THE "MARYLAND ARTHRITIS PREVENTION  
17 AND CONTROL ACT".

18       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2002.