
By: ~~Delegate Hubbard~~ Delegates Hubbard, D. Davis, Baldwin, Billings,
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and Weir

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House action: Adopted
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CHAPTER _____

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Asthma Control Program**

3 FOR the purpose of creating an Asthma Control Program in the Department of
4 Health and Mental Hygiene; requiring the Secretary of Health and Mental
5 Hygiene to appoint a director for the Program; providing for the powers and
6 duties of the director specifically with respect to the development of a statewide
7 asthma plan; requiring the Secretary to adopt regulations to implement the
8 Program; providing for the funding of the Program; requiring the Secretary to
9 make certain reports to certain committees and a certain council on or before
10 certain dates; and generally relating to the Asthma Control Program in the
11 Department of Health and Mental Hygiene.

12 BY adding to
13 Article - Health - General
14 Section 13-1601 through 13-1606, inclusive, to be under the new subtitle
15 "Subtitle 16. Asthma Control Program"
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2001 Supplement)

18 Preamble

19 WHEREAS, The occurrence of asthma has been increasing in the United States
20 and worldwide, and has led to the identification of asthma as a major public health
21 problem; and

1 WHEREAS, Asthma is a chronic and troubling disease that affects over 10
2 million adults and over 5 million children in the United States; and

3 WHEREAS, Over 500,000 Maryland citizens have asthma, including 95,000
4 adolescents and children; and

5 WHEREAS, Nationally, the number of deaths, hospitalizations, and emergency
6 room visits due to asthma has been increasing; and

7 WHEREAS, In order to help establish the factors underlying the development of
8 asthma, and the complications of asthma, it is important to understand its prevalence
9 and the circumstances associated with periods of increased symptoms; and

10 WHEREAS, Surveillance is a key public health tool in identifying associated or
11 causative factors; and

12 WHEREAS, A comprehensive, integrated State plan for the prevention and
13 control of asthma is central to reducing the impact of asthma on the population; now,
14 therefore,

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

17 **Article - Health - General**

18 **SUBTITLE 16. ASTHMA CONTROL PROGRAM.**

19 13-1601.

20 IN THIS SUBTITLE, "PROGRAM" MEANS THE ASTHMA CONTROL PROGRAM.

21 13-1602.

22 THERE IS AN ASTHMA CONTROL PROGRAM IN THE DEPARTMENT.

23 13-1603.

24 (A) THE SECRETARY SHALL APPOINT A DIRECTOR FOR THE PROGRAM.

25 (B) THE DIRECTOR MAY ESTABLISH ADVISORY COUNCILS, TASK FORCES,
26 COMMITTEES, AND WORK GROUPS TO THE EXTENT NECESSARY TO IMPLEMENT THE
27 PROGRAM.

28 13-1604.

29 (A) THE DIRECTOR SHALL:

30 (1) ESTABLISH A STATEWIDE ASTHMA COALITION COMPOSED OF
31 INDIVIDUALS AND ORGANIZATIONS WITH AN INTEREST IN ASTHMA;

1 (2) DEVELOP AND FINALIZE A COMPREHENSIVE STATEWIDE ASTHMA
2 PLAN;

3 (3) AFTER FINALIZATION OF THE DEVELOPMENT OF THE STATEWIDE
4 ASTHMA PLAN, IMPLEMENT A STATEWIDE ASTHMA INTERVENTION PROGRAM;

5 (4) DEVELOP AND ORGANIZE COLLABORATIVE RELATIONSHIPS WITH
6 ASTHMA CONTROL AND STAKEHOLDERS WITHIN OTHER STATE AND LOCAL
7 AGENCIES AND IN THE PRIVATE SECTOR;

8 (5) DEVELOP AND IMPLEMENT AN ASTHMA SURVEILLANCE SYSTEM;

9 (6) UPON COMPLETION OF THE ASTHMA SURVEILLANCE SYSTEM IN
10 PARAGRAPH (5) OF THIS SUBSECTION, IDENTIFY MECHANISMS FOR THE UTILIZATION
11 OF SURVEILLANCE DATA IN IDENTIFYING INTERVENTIONS TO CONTROL ASTHMA;

12 (7) IDENTIFY AND PROMOTE EDUCATIONAL PROGRAMS FOR
13 PROVIDERS, PARENTS, GUARDIANS, CAREGIVERS, AND ASTHMA PATIENTS THAT
14 INCLUDE INFORMATION ON IDENTIFYING SYMPTOMS OF ASTHMA ~~AND~~, EFFECTIVE
15 TREATMENT FOR ASTHMA, AND METHODS OF PREVENTING ASTHMA; AND

16 (8) IDENTIFY SOURCES OF GRANT FUNDING FOR THE ASTHMA CONTROL
17 PROGRAM.

18 (B) THE PROGRAM MAY:

19 (1) PROVIDE FUNDING FOR LOCAL ASTHMA INTERVENTION
20 INITIATIVES; AND

21 (2) PROVIDE TRAINING FOR SCHOOL PERSONNEL, OR OTHER
22 APPROPRIATE PERSONNEL, ON ASTHMA EDUCATION IN CONJUNCTION WITH THE
23 DEPARTMENT OF EDUCATION AND LOCAL HEALTH DEPARTMENTS.

24 13-1605.

25 (A) THE PROGRAM SHALL BE FUNDED AS PROVIDED IN THE STATE BUDGET.

26 (B) THE FUNDING PROVIDED IN THE STATE BUDGET FOR THE PROGRAM IS
27 INTENDED TO COMPLEMENT FUNDING RECEIVED:

28 (1) BY THE DEPARTMENT FROM THE CENTERS FOR DISEASE CONTROL
29 AND PREVENTION FOR THE PROGRAM FOR ENHANCING THE STATE'S CAPACITY TO
30 ADDRESS ASTHMA FROM A PUBLIC HEALTH PERSPECTIVE; AND

31 (2) FROM ANY OTHER LAWFUL SOURCE.

32 13-1606.

33 THE SECRETARY SHALL, IN CONSULTATION WITH THE DIRECTOR, ADOPT
34 RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROGRAM.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health
2 and Mental Hygiene shall report to the Governor and, in accordance with § 2-1246 of
3 the State Government Article, to the Senate Education, Health, and Environmental
4 Affairs Committee ~~and~~, the House Environmental Matters Committee, and the
5 Children's Environmental Health and Protection Advisory Council on or before
6 December 1, 2005 and each December 1 thereafter describing the activities of the
7 Asthma Control Program created by Section 1 of this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2002.