
By: **Delegate Stern**

Introduced and read first time: February 15, 2002

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Advisory Council on Health Sciences and Diagnostics**

3 FOR the purpose of establishing a State Advisory Council on Health Sciences and
4 Diagnostics for the purpose of providing information and advising both the
5 General Assembly and the Governor with regard to certain issues and certain
6 pending legislation; defining certain terms; providing for the membership,
7 terms, removal, chairperson, attendance at meetings, and duties of the Advisory
8 Council; and generally relating to the establishment of a State Advisory Council
9 on Health Sciences and Diagnostics.

10 BY adding to

11 Article - Health - General

12 Section 13-1601 through 13-1605, inclusive, to be under the new subtitle

13 "Subtitle 16. State Advisory Council on Health Sciences and Diagnostics"

14 Annotated Code of Maryland

15 (2000 Replacement Volume and 2001 Supplement)

16 **Preamble**

17 WHEREAS, Advances in the fields of health sciences and diagnostics will
18 impact aspects of health policy, health care, research, the natural environment, the
19 Chesapeake Bay, ocean beaches, rivers, agriculture, and industry; and

20 WHEREAS, There exists a need for a diverse committee to serve in an
21 advisory and educational role to the Maryland State Legislature regarding matters
22 such as the scientific basis for legislation introduced to the General Assembly, the
23 impact of such legislation, risk assessment, ethical issues, future developments, and
24 the need for additional legislation; and

25 WHEREAS, A commitment to health sciences and diagnostic biosciences will
26 assure sustained economic growth and ensure the safety, health, and well-being of
27 the citizens of Maryland; now, therefore,

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

Article - Health - General

SUBTITLE 16. STATE ADVISORY COUNCIL ON HEALTH SCIENCES AND DIAGNOSTICS.

13-1601.

IN THIS SUBTITLE, "ADVISORY COUNCIL" MEANS THE STATE ADVISORY COUNCIL ON HEALTH SCIENCES AND DIAGNOSTICS.

13-1602.

THERE IS A STATE ADVISORY COUNCIL ON HEALTH SCIENCES AND DIAGNOSTICS.

13-1603.

(A) THE ADVISORY COUNCIL SHALL CONSIST OF 20 MEMBERS:

(1) ONE SHALL BE A MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

(2) ONE SHALL BE A MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(3) ONE SHALL BE THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE SECRETARY'S DESIGNEE;

(4) ONE SHALL BE THE SECRETARY OF AGRICULTURE OR THE SECRETARY'S DESIGNEE;

(5) ONE SHALL BE A REPRESENTATIVE OF THE MARYLAND HOSPITAL ASSOCIATION;

(6) ONE SHALL BE A REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND MEDICAL CENTER;

(7) ONE SHALL BE A REPRESENTATIVE OF THE JOHNS HOPKINS HOSPITAL AND HEALTH SYSTEM;

(8) ONE SHALL BE A REPRESENTATIVE OF THE BIOTECHNOLOGY COMMUNITY;

(9) ONE SHALL BE A REPRESENTATIVE OF THE PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA; AND

(10) THE OTHER 11 MEMBERS SHALL BE APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) TWO SHALL BE SCIENTISTS OR EDUCATORS OR BOTH, SELECTED FROM EDUCATIONAL INSTITUTIONS LOCATED WITHIN THE STATE;

1 (II) ONE SHALL BE AN ATTORNEY FAMILIAR WITH THE LEGAL AND
2 MORAL IMPLICATIONS OF LEGISLATION AND RECOMMENDATIONS;

3 (III) SEVEN SHALL BE INDIVIDUALS ENGAGED IN SCIENTIFIC
4 AREAS; AND

5 (IV) ONE SHALL BE A PHYSICIAN.

6 (B) (1) THE TERM OF A MEMBER IS 2 YEARS.

7 (2) AT THE END OF A TERM, NOT TO EXCEED THREE CONSECUTIVE
8 TERMS, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED.

9 (3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
10 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED.

11 (C) THE GOVERNOR MAY REMOVE A MEMBER OF THE ADVISORY COUNCIL FOR
12 INCOMPETENCE OR MISCONDUCT.

13 (D) FROM AMONG THE MEMBERS OF THE ADVISORY COUNCIL, THE
14 GOVERNOR SHALL APPOINT A CHAIRPERSON FOR A 2-YEAR TERM.

15 13-1604.

16 (A) A MAJORITY OF THE MEMBERS OF THE ADVISORY COUNCIL CONSTITUTES
17 A QUORUM AND ATTENDANCE MAY BE SATISFIED THROUGH ELECTRONIC MEANS
18 INCLUDING TELEPHONE, TELECONFERENCING, OR SIMILAR MEANS ESTABLISHED
19 BY THE ADVISORY COUNCIL.

20 (B) THE ADVISORY COUNCIL SHALL MEET AT LEAST THREE TIMES A YEAR.

21 (C) A MEMBER OF THE ADVISORY COUNCIL MAY NOT RECEIVE
22 COMPENSATION, BUT MAY RECEIVE REIMBURSEMENT FOR EXPENSES UNDER THE
23 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

24 (D) THE GOVERNOR SHALL DESIGNATE THE STAFF NECESSARY TO CARRY
25 OUT THIS SUBTITLE.

26 13-1605.

27 THE ADVISORY COUNCIL SHALL:

28 (1) REVIEW PROPOSED LEGISLATION;

29 (2) CONSULT WITH ADDITIONAL EXPERTS AS NEEDED; AND

30 (3) ADVISE THE GENERAL ASSEMBLY AND THE GOVERNOR REGARDING:

31 (I) THE SIGNIFICANCE AND IMPACT OF LEGISLATION ASSIGNED
32 TO THE ADVISORY COUNCIL; AND

1 (II) MAJOR NEW DEVELOPMENTS AND TRENDS.

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