
By: **Delegate Rosenberg**
Introduced and read first time: February 13, 2004
Assigned to: Health and Government Operations and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Cigarette Restitution Fund - Statewide Academic Health Center Grants -**
3 **Clarifications**

4 FOR the purpose of clarifying certain entities to which the Department of Health and
5 Mental Hygiene may award certain grants; requiring certain institutions to
6 submit certain reports to the Department; requiring the reports to include
7 certain information; requiring the reports to be submitted in a certain format
8 and within a certain time period; and generally relating to the Cigarette
9 Restitution Fund and Statewide Academic Health Center grants.

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 13-1116(a), 13-1117(a), (c), (e), and (f), and 13-1118
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2003 Supplement)

15 BY adding to
16 Article - Health - General
17 Section 13-1116(e) and 13-1117(f)
18 Annotated Code of Maryland
19 (2000 Replacement Volume and 2003 Supplement)

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

22 **Article - Health - General**

23 13-1116.

24 (a) Subject to the other provisions of this section, the Department may
25 distribute Statewide Academic Health Center Cancer Research Grants to the
26 University of Maryland Medical [Group] SYSTEM CORPORATION, THE UNIVERSITY
27 OF MARYLAND MEDICAL SCHOOL, THE UNIVERSITY OF MARYLAND, BALTIMORE, and
28 the Johns Hopkins Institutions for the purpose of enhancing cancer research

1 activities that may lead to a cure for a targeted cancer and increasing the rate at
2 which cancer research activities are translated into treatment protocols in the State.

3 (E) (1) EACH INSTITUTION RECEIVING A STATEWIDE ACADEMIC HEALTH
4 CENTER CANCER RESEARCH GRANT SHALL SUBMIT A FINAL ANNUAL REPORT TO
5 THE DEPARTMENT.

6 (2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL:

7 (I) DESCRIBE SPECIFIC MEASURABLE OUTCOMES AND PUBLIC
8 BENEFITS RESULTING FROM THE GRANT EXPENDITURE; AND

9 (II) BE SUBMITTED, IN WRITING, TO THE DEPARTMENT WITHIN 45
10 DAYS OF THE END OF THE FISCAL YEAR COVERED BY ANY STATEWIDE ACADEMIC
11 HEALTH CENTER CANCER RESEARCH GRANT.

12 13-1117.

13 (a) (1) Subject to the other provisions of this section, the Department may
14 distribute a Statewide Academic Health Center Tobacco-Related Diseases Research
15 Grant to the University of Maryland Medical [Group] SCHOOL for the purpose of
16 enhancing research activities that may lead to a reduction in morbidity and mortality
17 rates for tobacco-related diseases in the State.

18 (2) This section may not be implemented until funds are specifically
19 allocated in the State budget for this purpose.

20 (c) Before receiving a Tobacco-Related Diseases Research Grant, the
21 University of Maryland [Medical System] SCHOOL shall:

22 (1) Submit a Tobacco-Related Diseases Research Plan that:

23 (i) Provides a detailed plan as to how the Tobacco-Related
24 Diseases Research Grant will be spent;

25 (ii) Provides a complete inventory of prevention, education,
26 screening, treatment, and research activities relating to tobacco-related diseases that
27 are currently being conducted by the institution, including a breakdown of the types
28 of tobacco-related diseases to which these activities relate;

29 (iii) Specifies the source and amount of funding for all of the
30 education, screening, treatment, and research activities relating to tobacco-related
31 diseases that are identified under item (ii) of this item;

32 (iv) Demonstrates that any early detection or screening program
33 that is or will be funded under the Tobacco-Related Diseases Research Grant
34 provides necessary treatment or linkages to necessary treatment for uninsured
35 individuals who are diagnosed with a tobacco-related disease as a result of the
36 screening process;

1 (v) Certifies that the tobacco-related diseases research activities
2 that will be funded by the Tobacco-Related Diseases Research Grant have been
3 endorsed by an independent peer review group that is comprised of experts in the
4 field from outside the institution who will not be involved in the research;

5 (vi) Identifies the individuals who make up the independent peer
6 review group; and

7 (vii) Includes any other information that is requested by the
8 Department; and

9 (2) Enter into a memorandum of understanding with the Department of
10 Health and Mental Hygiene, the Department of Business and Economic
11 Development, and the Maryland Technology Development Corporation that:

12 (i) Establishes the scope of the State's ownership or other financial
13 interest in the commercialization and other benefits of the results, products,
14 inventions, and discoveries of tobacco-related diseases research activities funded by a
15 Tobacco-Related Diseases Research Grant;

16 (ii) Establishes a plan for expediting the translation of
17 tobacco-related diseases research activities into treatment protocols and clinical
18 trials; and

19 (iii) To the extent consistent with federal and State law, reflects the
20 intellectual property policies of the institution.

21 (e) The Department may not distribute a Tobacco-Related Diseases Research
22 Grant unless the Department first determines that:

23 (1) The Tobacco-Related Diseases Research Plan will help achieve the
24 State's public health goals;

25 (2) The University of Maryland Medical [Group] SCHOOL will not use
26 any part of the Grant to supplant the funding for any existing education, screening,
27 treatment, and research activities relating to tobacco-related diseases or any other
28 type of current expenditure by the institution;

29 (3) The Grant will be used to conduct research in the areas specified in
30 subsection (b) of this section;

31 (4) The institution has executed a memorandum of understanding as
32 required by subsection (c)(2) of this section; and

33 (5) The institution satisfies any other requirement established by the
34 Department as a condition of receiving the Grant.

35 (F) (1) THE UNIVERSITY OF MARYLAND MEDICAL SCHOOL SHALL SUBMIT A
36 FINAL ANNUAL REPORT TO THE DEPARTMENT.

1 (2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL:

2 (I) DESCRIBE SPECIFIC MEASURABLE OUTCOMES AND PUBLIC
3 BENEFITS RESULTING FROM THE GRANT EXPENDITURE; AND

4 (II) BE SUBMITTED, IN WRITING, TO THE DEPARTMENT WITHIN 45
5 DAYS OF THE END OF THE FISCAL YEAR COVERED BY ANY TOBACCO-RELATED
6 DISEASES RESEARCH GRANT.

7 [(f)] (G) Each year, the Department shall evaluate the efficiency and
8 effectiveness of the research that is conducted under a Tobacco-Related Diseases
9 Research Grant.

10 13-1118.

11 (a) The Department may distribute a Statewide Academic Health Center
12 Network Grant to the University of Maryland Medical [Group] SCHOOL for the
13 purpose of establishing a statewide network that will support a wide range of
14 prevention, education, screening, treatment, and research programs relating to
15 targeted cancers and tobacco-related diseases that can be accessed by individuals
16 throughout the State, including:

17 (1) Support services aimed at increasing participation of diverse
18 populations in clinical trials;

19 (2) Development of best practices models to address targeted cancers and
20 tobacco-related diseases; and

21 (3) Coordination among local hospitals, community clinics, physicians,
22 and other health care providers in different geographic areas of the State.

23 (b) (1) Except as provided in paragraph (2) of this subsection, the
24 Department may not distribute a Statewide Academic Health Center Network Grant
25 under this section until after the Baseline Cancer Study is completed.

26 (2) Before completing the Baseline Cancer Study, the Department may
27 use money that is allocated to the Statewide Academic Health Center Component in
28 the State budget to fund the development of an infrastructure for the network that is
29 authorized under subsection (a) of this section.

30 (C) (1) THE UNIVERSITY OF MARYLAND MEDICAL SCHOOL SHALL SUBMIT A
31 FINAL ANNUAL REPORT TO THE DEPARTMENT.

32 (2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL:

33 (I) DESCRIBE SPECIFIC MEASURABLE OUTCOMES AND PUBLIC
34 BENEFITS RESULTING FROM THE GRANT EXPENDITURE; AND

35 (II) BE SUBMITTED, IN WRITING, TO THE DEPARTMENT WITHIN 45
36 DAYS OF THE END OF THE FISCAL YEAR COVERED BY ANY NETWORK GRANT.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004.