

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 351

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Donoghue” and substitute “Delegates Donoghue, Benson, Boteler, Boutin, Bromwell, Costa, Elliott, Frank, Goldwater, Hammen, Hubbard, Hurson, Kach, Kullen, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rudolph, V. Turner, and Weldon”; in line 11, after “notice;” insert “authorizing the Secretary to grant a certain waiver to the requirement to post the notice; authorizing the Secretary to enter certain agreements with certain accrediting organizations; requiring certain agreements to include certain information;”; in line 17, after “and” insert “certain committees of the”; in line 20, after “period;” insert “prohibiting the Secretary from disclosing the identity of certain persons;”; in line 22, after “Act;” insert “altering certain criminal penalties for certain violations;”; and in line 27, after “17-202” insert “and 17-216”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(II) THE SECRETARY MAY WAIVE THE NOTICE REQUIREMENT FOR A MEDICAL LABORATORY ACCREDITED BY AN ORGANIZATION APPROVED BY THE SECRETARY IF THE ACCREDITING ORGANIZATION HAS AN EQUIVALENT REQUIREMENT.”;

and in lines 19 and 27, strike “(II)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively.

AMENDMENT NO.3

On page 3, strike in their entirety lines 9 through 18, inclusive, and substitute:

“(IV) ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE

(Over)

SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL SUBMIT A REPORT TO THE GOVERNOR, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REGARDING:

1. THE NUMBER OF LICENSED MEDICAL LABORATORIES IN THE STATE;

2. THE NUMBER OF DISCOVERIES MADE AS A RESULT OF INVESTIGATIONS CONDUCTED UNDER THIS PARAGRAPH;

3. THE NUMBER OF REPORTS RECEIVED UNDER THIS PARAGRAPH;

4. THE STEPS TAKEN TO CORRECT ANY DISCOVERIES OR REPORTS IDENTIFIED UNDER THIS SECTION AND THE PROMPTNESS WITH WHICH THE ACTIONS WERE TAKEN; AND

5. THE NUMBER OF ACTIONS TAKEN UNDER § 17-216 OF THE HEALTH - GENERAL ARTICLE.

(V) THE SECRETARY MAY ENTER INTO AN INFORMATION SHARING AGREEMENT WITH AN APPROVED ACCREDITING ORGANIZATION TO ENSURE ONGOING COMMUNICATION THAT INCLUDES INFORMATION SHARING REGARDING A DISCOVERY OF NONCOMPLIANCE OR OTHER VIOLATIONS OBTAINED UNDER § 17-202(B) OF THIS SUBTITLE.”.

AMENDMENT NO. 4

On page 5, after line 12, insert:

“17-216.

A person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding [\$100] \$5,000 for the first offense and not exceeding

[\$500] \$10,000 for each subsequent conviction for a violation of the same provision. Each day a violation is continued after the first conviction is a subsequent offense.”;

and in line 32, after “LABORATORY” insert “THAT THE EMPLOYEE REASONABLY AND IN GOOD FAITH BELIEVES EVIDENCES:

(I) A SUBSTANTIAL AND SPECIFIC DANGER TO PUBLIC HEALTH OR SAFETY; OR

(II) A VIOLATION OF THE STANDARDS AND REQUIREMENTS FOR MEDICAL LABORATORIES IN THE STATE”.

AMENDMENT NO. 5

On page 6, in lines 13 and 14, in each instance, strike “2 YEARS” and substitute “1 YEAR”; and after line 16, insert:

“(C) IF A REPORT MADE UNDER THIS SECTION IS MADE ANONYMOUSLY, THE SECRETARY MAY NOT DISCLOSE THE IDENTITY OF THE EMPLOYEE MAKING THE REPORT TO A MEDICAL LABORATORY.”.