

ENROLLED BILL
-- Finance/Health and Government Operations --

Introduced by **Senators Forehand, Britt, Garagiola, Grosfeld, Hogan, Kramer, Ruben, and Teitelbaum**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

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

President.

CHAPTER _____

1 AN ACT concerning

2 **Health - Maryland Health Care Commission - Membership**

3 FOR the purpose of increasing the number of members on the Maryland Health Care
4 Commission; altering the qualifications for membership on the Maryland
5 Health Care Commission; establishing additional requirements for the
6 appointment of members to the Maryland Health Care Commission; and
7 generally relating to the membership of the Maryland Health Care Commission.

8 BY repealing and reenacting, with amendments,
9 Article - Health - General
10 Section 19-104
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2004 Supplement)

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

1 **Article - Health - General**

2 19-104.

3 (a) (1) The Commission shall consist of ~~13~~ 15 members appointed by the
4 Governor with the advice and consent of the Senate.5 ~~(2) (i) Of the 13 members, seven shall be individuals who do not have~~
6 ~~any connection with the management or policy of a health care provider or payor.~~7 ~~(ii) Of the remaining six members, only two shall be physicians and~~
8 ~~only two shall be payors, as defined in § 19-132 of this article.~~9 (2) OF THE 15 MEMBERS:10 (I) NINE SHALL BE INDIVIDUALS WHO DO NOT HAVE ANY
11 CONNECTION WITH THE MANAGEMENT OR POLICY OF A HEALTH CARE PROVIDER OR
12 PAYOR; AND13 (II) OF THE REMAINING SIX MEMBERS:14 1. TWO SHALL BE PHYSICIANS;15 2. TWO SHALL BE PAYORS, AS DEFINED IN § 19-132 OF THIS
16 ARTICLE;17 3. ONE SHALL BE A NURSING HOME ADMINISTRATOR IN THE
18 STATE; AND19 4. ONE SHALL BE A REPRESENTATIVE OF A NONPROFIT
20 HOSPITAL LOCATED IN THE STATE NONPHYSICIAN HEALTH CARE PRACTITIONER.

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

22 (2) The terms of members are staggered as required by the terms
23 provided for members of the Commission on October 1, 1999.24 (3) At the end of a term, a member continues to serve until a successor is
25 appointed and qualifies.26 (4) A member who is appointed after a term has begun serves only for
27 the rest of the term and until a successor is appointed and qualifies.28 (5) The Governor may remove a member for neglect of duty,
29 incompetence, or misconduct.

30 (6) A member may not serve more than two consecutive terms.

31 (c) WHEN APPOINTING MEMBERS TO THE COMMISSION, THE GOVERNOR
32 SHALL:

1 (1) ASSURE THAT; ~~EACH COUNTY WITH A POPULATION OF OVER 250,000~~
2 ~~IS REPRESENTED BY AT LEAST ONE OF ITS RESIDENTS AS A MEMBER ON THE~~
3 ~~COMMISSION~~

4 (I) AT LEAST FIVE MEMBERS ARE RESIDENTS OF DIFFERENT
5 COUNTIES WITH A POPULATION OF 300,000 OR MORE; AND

6 (II) AT LEAST THREE MEMBERS ARE RESIDENTS OF DIFFERENT
7 COUNTIES WITH A POPULATION OF LESS THAN 300,000, OF WHICH AT LEAST:

8 1. ONE SHALL BE A RESIDENT OF THE EASTERN SHORE;

9 2. ONE SHALL BE A RESIDENT OF ALLEGANY COUNTY,
10 GARRETT COUNTY, ~~OR~~ WASHINGTON COUNTY, CARROLL COUNTY, OR FREDERICK
11 COUNTY; AND

12 3. ONE SHALL BE A RESIDENT OF SOUTHERN MARYLAND;
13 AND

14 (2) To the extent practicable, [when appointing members to the
15 Commission, the Governor shall] assure geographic balance and promote racial,
16 ETHNIC, AND GENDER diversity in the Commission's membership.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2005.