
By: **Senators Forehand, Britt, Garagiola, Grosfeld, Hogan, Kramer, Ruben,
and Teitelbaum**

Introduced and read first time: January 27, 2005

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2005

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:

15 **Article - Health - General**

16 19-104.

17 (a) (1) The Commission shall consist of ~~13~~ 15 members appointed by the
 18 Governor with the advice and consent of the Senate.

19 ~~(2) (i) Of the 13 members, seven shall be individuals who do not have~~
 20 ~~any connection with the management or policy of a health care provider or payor.~~

1 (ii) ~~Of the remaining six members, only two shall be physicians and~~
 2 ~~only two shall be payors, as defined in § 19-132 of this article.~~

3 (2) OF THE 15 MEMBERS:

4 (I) NINE SHALL BE INDIVIDUALS WHO DO NOT HAVE ANY
 5 CONNECTION WITH THE MANAGEMENT OR POLICY OF A HEALTH CARE PROVIDER OR
 6 PAYOR; AND

7 (II) OF THE REMAINING SIX MEMBERS:

8 1. TWO SHALL BE PHYSICIANS;

9 2. TWO SHALL BE PAYORS, AS DEFINED IN § 19-132 OF THIS
 10 ARTICLE;

11 3. ONE SHALL BE A NURSING HOME ADMINISTRATOR IN THE
 12 STATE; AND

13 4. ONE SHALL BE A REPRESENTATIVE OF A NONPROFIT
 14 HOSPITAL LOCATED IN THE STATE.

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

16 (2) The terms of members are staggered as required by the terms
 17 provided for members of the Commission on October 1, 1999.

18 (3) At the end of a term, a member continues to serve until a successor is
 19 appointed and qualifies.

20 (4) A member who is appointed after a term has begun serves only for
 21 the rest of the term and until a successor is appointed and qualifies.

22 (5) The Governor may remove a member for neglect of duty,
 23 incompetence, or misconduct.

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

25 (c) WHEN APPOINTING MEMBERS TO THE COMMISSION, THE GOVERNOR
 26 SHALL:

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

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

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

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

2 2. ONE SHALL BE A RESIDENT OF ALLEGANY COUNTY,
3 GARRETT COUNTY, OR WASHINGTON COUNTY; AND

4 3. ONE SHALL BE A RESIDENT OF SOUTHERN MARYLAND;
5 AND

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

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