
By: **Delegates Nathan-Pulliam, Benson, Bromwell, Costa, Goldwater,
Gutierrez, Haynes, Kullen, Murray, Oaks, Petzold, and Pugh**

Introduced and read first time: January 26, 2006

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Disease Prevention - Hepatitis C Advisory Council**

3 FOR the purpose of establishing a State Advisory Council on Hepatitis C to review,
4 recommend changes to, and solicit funds to implement a certain hepatitis C
5 prevention plan; requiring the Advisory Council to coordinate hepatitis C
6 initiatives in certain State agencies and review and recommend changes to
7 certain hepatitis C initiatives; specifying the membership, terms, removal,
8 chair, and purpose of the Advisory Council; requiring the Advisory Council to
9 issue certain reports on or before certain dates; requiring the Secretary of
10 Health and Mental Hygiene to take certain actions in connection with the
11 Hepatitis C Advisory Council; defining certain terms; providing for the
12 termination of this Act; and generally relating to the Hepatitis C Advisory
13 Council.

14 BY adding to
15 Article - Health - General
16 Section 18-1001 through 18-1009, inclusive, to be under the new subtitle
17 "Subtitle 10. Hepatitis C Advisory Council"
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2005 Supplement)

20 Preamble

21 WHEREAS, Hepatitis C is a silent killer, being largely asymptomatic until
22 irreversible liver damage may have occurred; and

23 WHEREAS, Hepatitis C has been characterized by the World Health
24 Organization as a disease of primary concern to humanity; and

25 WHEREAS, Hepatitis C currently infects approximately 4.5 million persons in
26 the United States, and each year there are some 30,000 new infections nationwide;
27 and

1 WHEREAS, The federal Centers for Disease Control and Prevention estimate
2 that approximately 12,000 persons die annually from the consequences of hepatitis C,
3 and this number continues to grow each year; and

4 WHEREAS, The disease is considered to be such a public health threat that the
5 United States Department of Health and Human Services has initiated a
6 comprehensive plan to address this significant health problem, beginning with the
7 identification of, and notification to, hundreds of thousands of persons who are
8 inadvertently exposed to hepatitis C through blood transfusions; and

9 WHEREAS, In the absence of a vaccine for hepatitis C, emphasis must be placed
10 on other means of awareness and prevention of this disease, including, but not limited
11 to, education of persons at high risk for hepatitis C as defined by the federal Centers
12 for Disease Control and Prevention, as well as police officers, firefighters, health care
13 workers, and the general public; and

14 WHEREAS, Educating the public and health care community throughout the
15 State about hepatitis C will ensure an optimal approach to controlling this lethal
16 disease; now, therefore,

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

19 **Article - Health - General**

20 **SUBTITLE 10. HEPATITIS C ADVISORY COUNCIL.**

21 18-1001.

22 THERE IS A STATE ADVISORY COUNCIL ON HEPATITIS C.

23 18-1002.

24 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) "ADVISORY COUNCIL" MEANS THE STATE ADVISORY COUNCIL ON
27 HEPATITIS C.

28 (C) "HCV" MEANS THE HEPATITIS C VIRUS.

29 (D) "SECRETARY" MEANS THE SECRETARY OF HEALTH AND MENTAL
30 HYGIENE.

31 18-1003.

32 (A) (1) THE ADVISORY COUNCIL CONSISTS OF 16 MEMBERS.

33 (2) OF THE 16 MEMBERS:

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

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

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

7 (IV) ONE SHALL BE THE SECRETARY OF VETERANS AFFAIRS OR THE
8 SECRETARY'S DESIGNEE;

9 (V) ONE SHALL BE THE SECRETARY OF PUBLIC SAFETY AND
10 CORRECTIONAL SERVICES OR THE SECRETARY'S DESIGNEE; AND

11 (VI) ELEVEN SHALL BE APPOINTED BY THE GOVERNOR.

12 (3) OF THE 11 MEMBERS APPOINTED BY THE GOVERNOR:

13 (I) ONE SHALL BE AN INTERNIST;

14 (II) ONE SHALL BE A HEMATOLOGIST, A HEPATOLOGIST, OR AN
15 INFECTIOUS DISEASE SPECIALIST;

16 (III) ONE SHALL BE A CLINICAL RESEARCHER SPECIALIZING IN
17 DISEASES OF THE LIVER OR A REPRESENTATIVE FROM A RESEARCH HOSPITAL WHO
18 SPECIALIZES IN LIVER DISEASE;

19 (IV) ONE SHALL BE AN EMERGENCY MEDICAL SERVICES WORKER;

20 (V) ONE SHALL BE A MEMBER OF THE PUBLIC WHO HAS HEPATITIS
21 C OR IS A PATIENT ADVOCATE;

22 (VI) ONE SHALL BE A VETERAN OF THE UNITED STATES ARMED
23 FORCES WHO HAS HEPATITIS C;

24 (VII) TWO SHALL BE REPRESENTATIVES OF THE PHARMACEUTICAL
25 INDUSTRY;

26 (VIII) ONE SHALL BE A NURSE PRACTITIONER OR AN EMERGENCY
27 DEPARTMENT NURSE;

28 (IX) ONE SHALL BE A REPRESENTATIVE OF THE AMERICAN LIVER
29 FOUNDATION; AND

30 (X) ONE SHALL BE A REPRESENTATIVE OF THE BALTIMORE CITY
31 HEALTH DEPARTMENT.

32 (B) (1) THE TERM OF A MEMBER IS 3 YEARS.

1 (2) AT THE END OF A TERM A MEMBER CONTINUES TO SERVE UNTIL A
2 SUCCESSOR IS APPOINTED.

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

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

7 18-1004.

8 FROM AMONG THE MEMBERS OF THE ADVISORY COUNCIL THE GOVERNOR
9 SHALL APPOINT A CHAIR.

10 18-1005.

11 (A) A MAJORITY OF THE MEMBERS SERVING ON THE ADVISORY COUNCIL
12 REPRESENTS A QUORUM TO CONDUCT BUSINESS.

13 (B) A MEMBER OF THE ADVISORY COUNCIL:

14 (1) MAY NOT RECEIVE COMPENSATION; BUT

15 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
16 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

17 (C) THE ADVISORY COUNCIL SHALL MEET AT LEAST FOUR TIMES A YEAR, AT
18 THE TIMES AND PLACES THAT IT DETERMINES.

19 18-1006.

20 THE PURPOSE OF THE ADVISORY COUNCIL SHALL BE TO:

21 (1) REVIEW AND RECOMMEND CHANGES TO THE "MARYLAND HEPATITIS
22 C PREVENTION AND CONTROL PLAN";

23 (2) SOLICIT ANY FUNDS OR GRANTS FROM ANY FEDERAL, LOCAL,
24 PRIVATE, OR OTHER SOURCE TO IMPLEMENT THE "MARYLAND HEPATITIS C
25 PREVENTION AND CONTROL PLAN";

26 (3) COORDINATE HEPATITIS C INITIATIVES IN THE DEPARTMENT, THE
27 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, AND THE DEPARTMENT OF
28 VETERANS AFFAIRS; AND

29 (4) REVIEW AND RECOMMEND INITIATIVES TO PROMOTE PATIENT
30 ADVOCACY AND EDUCATION, PHYSICIAN OUTREACH, AND AWARENESS OF HCV.

31 18-1007.

32 ON OR BEFORE SEPTEMBER 1, 2007, AND ANNUALLY THEREAFTER, THE
33 ADVISORY COUNCIL SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH

1 § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION,
2 HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, AND THE HOUSE HEALTH
3 AND GOVERNMENT OPERATIONS COMMITTEE, ON:

4 (1) THE ADVISORY COUNCIL'S RECOMMENDATIONS; AND

5 (2) THE COORDINATION OF HEPATITIS C INITIATIVES IN THE VARIOUS
6 STATE AGENCIES.

7 18-1008.

8 THE SECRETARY SHALL DESIGNATE THE STAFF NECESSARY TO ASSIST THE
9 ADVISORY COUNCIL IN CARRYING OUT ITS FUNCTIONS AS PROVIDED UNDER THIS
10 SUBTITLE.

11 18-1009.

12 (A) THE COUNCIL SHALL BE FUNDED AS PROVIDED IN THE STATE BUDGET.

13 (B) THE FUNDING PROVIDED IN THE STATE BUDGET FOR THE COUNCIL IS
14 INTENDED TO COMPLEMENT FUNDING RECEIVED FROM ANY OTHER LAWFUL
15 SOURCE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2006. It shall remain effective for a period of 3 years and, at the end of
18 September 30, 2009, with no further action required by the General Assembly, this
19 Act shall be abrogated and of no further force and effect.