

**ENROLLED BILL**

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Delegates Murray, Branch, Carter, Franchot, Haynes, Hixson, Hubbard, King, Kirk, Madaleno, Marriott, Oaks, ~~and Stern~~ Stern, Barve, Benson, Bromwell, Costa, Donoghue, Elliott, Frank, Hammen, Kohl, Kullen, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Rudolph, V. Turner, and Weldon**

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.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Commission for ~~Men~~ Men's Health**

3 FOR the purpose of creating the Maryland Commission for ~~Men~~ Men's Health;  
4 providing for the appointment of members of the Commission; requiring that  
5 certain members of the Commission shall be appointed from among applicants  
6 who have been nominated and recommended for appointment by certain  
7 organizations; requiring that certain members of the Commission shall be  
8 appointed from applicants applying on their own behalf; providing for the terms  
9 of the members of the Commission; providing for reimbursement for certain  
10 expenses of members; providing that a commissioner who fails to attend a  
11 certain number of meetings during a certain time period is considered to have  
12 resigned; providing that the Commission is a unit of the Department of ~~Human~~  
13 ~~Resources~~ Health and Mental Hygiene; requiring the members of the

1 Commission to elect a chair and vice chair; ~~requiring the Secretary of Human~~  
 2 ~~Resources to appoint an executive director; providing that the executive director~~  
 3 ~~is a merit employee of the Department and is entitled to a certain salary;~~  
 4 providing for the duties of the Commission; authorizing the Commission to  
 5 accept certain funds under certain circumstances; requiring the Commission to  
 6 report annually to the Governor and the General Assembly; ~~defining certain~~  
 7 ~~terms; providing for staggered terms for certain members of the Commission;~~  
 8 requiring, to the extent practicable, that the appointments to the Commission  
 9 ensure geographic diversity; requiring the appointments to the Commission to  
 10 be made without regard to race, color, disability, gender, religion, age, or  
 11 national origin; providing for the termination of this Act; and generally relating  
 12 to the Maryland Commission for ~~Men~~ Men's Health.

13 BY adding to

14 ~~New Article 49E – Maryland Commission for Men~~

15 Article - Health - General

16 ~~Section 4 through 8~~ 13-2301 through 13-2308, inclusive, to be under the new

17 subtitle "Subtitle 23. Maryland Commission for Men's Health"

18 Annotated Code of Maryland

19 (~~2003~~ 2005 Replacement Volume and 2005 Supplement)

20

Preamble

21 WHEREAS, There is a silent health crisis affecting the health and well-being of  
 22 Maryland men; and

23 WHEREAS, This health crisis is of particular concern to men, but is also a  
 24 concern for women, as the crisis affects fathers, husbands, sons, and brothers; and

25 WHEREAS, Men's health is likewise a concern for employers, who lose  
 26 productive employees as well as pay the costs of medical care, and for State  
 27 government and society, which absorb the enormous costs of premature death and  
 28 disability, including the costs of caring for dependents left without income; and

29 WHEREAS, The life expectancy for a child born in Maryland in 2001 was 73.9  
 30 years for males versus 79.1 years for females; and

31 WHEREAS, The 2001 Maryland death rate of 819.9 per 100,000 population for  
 32 men exceeded the death rate of 802.4 per 100,000 population for women; and

33 WHEREAS, In Maryland, only 22% of the deaths to women in 2001 occurred  
 34 before age 65, men younger than 65 accounted for 36% of all deaths to men in that  
 35 year; and

36 WHEREAS, Men comprised 60% of new HIV cases in 2001 in Maryland and 67%  
 37 of new AIDS cases in the same year; and

38 WHEREAS, Men are reported to be 25% less likely than women to visit a doctor;  
 39 and

1 WHEREAS, Employment-based health insurance, which has traditionally  
 2 financed much of the health care received by men, is on the decline, and recent  
 3 Medicaid and other publicly-financed health care expansions have focused primarily  
 4 on children and women; and

5 WHEREAS, Educating men, their families, and health care providers about the  
 6 importance of early detection of men's health problems can result in reducing rates of  
 7 mortality for male-specific diseases, as well as improve the health of Maryland men  
 8 and the State's overall economic well-being; and

9 WHEREAS, Regular exercise, good nutrition, healthy behaviors, regular  
 10 medical checkups, preventive health screenings, and diagnostic tests that detect  
 11 disease early have been proven to save lives; and

12 WHEREAS, A Commission for ~~Men~~ Men's Health is needed to promote men's  
 13 health in Maryland; now, therefore,

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

16 ~~ARTICLE 49E - MARYLAND COMMISSION FOR MEN~~

17 Article - Health - General

18 SUBTITLE 23. MARYLAND COMMISSION FOR MEN'S HEALTH.

19 ~~4-13-2301.~~

20 ~~(A) IN THIS ARTICLE THE FOLLOWING WORDS HAVE THE MEANINGS~~  
 21 ~~INDICATED.~~

22 ~~(B) "COMMISSION" MEANS THE MARYLAND COMMISSION FOR MEN.~~

23 ~~(C) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.~~

24 ~~(D) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.~~

25 THERE IS A MARYLAND COMMISSION FOR MEN'S HEALTH.

26 ~~2-13-2302.~~

27 (A) THE COMMISSION CONSISTS OF:

28 (1) FOUR INDIVIDUALS APPOINTED BY THE GOVERNOR, WITH THE  
 29 ADVICE AND CONSENT OF THE SENATE;

30 (2) FOUR INDIVIDUALS APPOINTED BY THE PRESIDENT OF THE SENATE  
 31 OF MARYLAND; AND

1 (3) FOUR INDIVIDUALS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
2 DELEGATES.

3 (B) (1) THE FOLLOWING MEMBERS OF THE COMMISSION SHALL BE  
4 APPOINTED FROM AMONG APPLICANTS WHO HAVE BEEN NOMINATED AND  
5 RECOMMENDED FOR APPOINTMENT BY ORGANIZATIONS LOCATED IN THE STATE  
6 WHOSE INTERESTS RELATE TO MEN'S HEALTH OR FAMILY INVOLVEMENT:

7 (I) TWO MEMBERS APPOINTED BY THE GOVERNOR;

8 (II) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE  
9 OF MARYLAND; AND

10 (III) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
11 OF DELEGATES.

12 (2) THE FOLLOWING MEMBERS OF THE COMMISSION SHALL BE  
13 APPOINTED FROM APPLICANTS APPLYING ON THEIR OWN BEHALF:

14 (I) TWO MEMBERS APPOINTED BY THE GOVERNOR;

15 (II) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE  
16 OF MARYLAND; AND

17 (III) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE  
18 OF DELEGATES.

19 (C) (1) THE TERM OF A COMMISSIONER IS 4 YEARS.

20 (2) AT THE END OF A TERM, THE COMMISSIONER CONTINUES TO SERVE  
21 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

22 (3) A COMMISSIONER WHO IS APPOINTED AFTER A TERM HAS BEGUN  
23 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED  
24 AND QUALIFIES.

25 (4) A COMMISSIONER MAY NOT SERVE MORE THAN TWO CONSECUTIVE  
26 TERMS.

27 (D) A COMMISSIONER:

28 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
29 COMMISSION; BUT

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

32 (E) A COMMISSIONER WHO FAILS TO ATTEND AT LEAST 50% OF THE  
33 REGULARLY SCHEDULED MEETINGS DURING ANY 12-MONTH PERIOD SHALL BE  
34 CONSIDERED TO HAVE RESIGNED.

1 (F) THE COMMISSION IS A UNIT OF THE DEPARTMENT ~~OF HUMAN RESOURCES~~  
2 AND SHALL REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY THROUGH  
3 THE SECRETARY.

4 ~~3-13-2303.~~

5 (A) THE COMMISSION SHALL ELECT A CHAIR AND A VICE CHAIR FROM AMONG  
6 ITS MEMBERS.

7 (B) THE COMMISSION MAY APPOINT ANY OFFICERS THAT IT CONSIDERS  
8 NECESSARY.

9 ~~3A.~~

10 (A) ~~THE SECRETARY SHALL APPOINT AN EXECUTIVE DIRECTOR FOR THE~~  
11 ~~COMMISSION.~~

12 (B) ~~THE EXECUTIVE DIRECTOR SHALL BE A MERIT EMPLOYEE OF THE~~  
13 ~~DEPARTMENT.~~

14 (C) ~~THE EXECUTIVE DIRECTOR IS ENTITLED TO THE SALARY PROVIDED IN~~  
15 ~~THE STATE BUDGET.~~

16 ~~4-13-2304.~~

17 (A) THE COMMISSION:

18 (1) SHALL DEVELOP STRATEGIES AND PROGRAMS, INCLUDING  
19 COMMUNITY OUTREACH AND PUBLIC-PRIVATE PARTNERSHIPS, DESIGNED TO:

20 (I) RAISE PUBLIC AWARENESS OF MEN'S HEALTH ISSUES,  
21 INCLUDING HEALTH PROBLEMS THAT DISPROPORTIONATELY AFFECT MEN AND THE  
22 IMPORTANCE OF PATERNAL INFLUENCE IN THE FAMILY;

23 (II) ENCOURAGE THE PARTICIPATION OF MEN IN HEALTHY  
24 BEHAVIORS, ~~ACADEMIC ACHIEVEMENT~~, AND FAMILY INVOLVEMENT; ~~AND~~

25 (III) EDUCATE MARYLAND MEN ON THE BENEFITS OF REGULAR  
26 PHYSICIAN CHECKUPS, EARLY DETECTION AND PREVENTIVE HEALTH SCREENING  
27 TESTS, AND HEALTHY LIFESTYLE PRACTICES; AND

28 (IV) REDUCE OR ELIMINATE DISPARITIES IN MORBIDITY AND  
29 MORTALITY FOR SPECIFIC DISEASES AMONG RACIAL AND ETHNIC MINORITIES AND  
30 UNDERSERVED POPULATIONS;

31 (2) SHALL REVIEW THE HEALTH STATUS OF MEN IN THE STATE AND  
32 FOCUS ON HEALTH OUTCOMES OF MEN FOR SPECIFIC DISEASES, INCLUDING  
33 PROSTATE AND TESTICULAR CANCER, ORAL CANCER, CARDIOVASCULAR DISEASE,  
34 DEPRESSION, AND DIABETES;

1 (3) SHALL ORGANIZE COMMUNITY WORKSHOPS TO IDENTIFY ISSUES  
2 AFFECTING MEN'S HEALTH AND FAMILY INVOLVEMENT;

3 (4) SHALL MONITOR STATE AND FEDERAL POLICY AND LEGISLATION  
4 THAT MAY AFFECT THE AREAS OF MEN'S HEALTH AND FAMILY INVOLVEMENT; AND

5 (5) SHALL RECOMMEND ASSISTANCE, SERVICES, AND POLICY CHANGES  
6 THAT WILL FURTHER THE GOALS OF THE COMMISSION.

7 (B) THE COMMISSION SHALL CONSIDER POPULATION DIVERSITY WHEN  
8 CARRYING OUT THE DUTIES SET FORTH IN SUBSECTION (A) OF THIS SECTION.

9 ~~5-13-2305.~~

10 (A) ~~(4)~~ THE COMMISSION, SUBJECT TO THE APPROVAL OF THE SECRETARY,  
11 MAY ACCEPT:

12 ~~(4)~~ (1) FEDERAL FUNDS GRANTED BY CONGRESS OR EXECUTIVE  
13 ORDER FOR ALL OR ANY OF THE PURPOSES OF THIS ARTICLE; AND

14 ~~(4)~~ (2) PRIVATE GIFTS AND DONATIONS FROM INDIVIDUALS,  
15 PRIVATE ORGANIZATIONS, OR FOUNDATIONS.

16 ~~(2)~~ (B) THE ACCEPTANCE AND USE OF FEDERAL FUNDS MAY NOT BE  
17 CONSIDERED A COMMITMENT OF STATE FUNDS AND PLACES NO OBLIGATION ON  
18 THE GENERAL ASSEMBLY TO CONTINUE THE PURPOSE FOR WHICH THE FUNDS ARE  
19 AVAILABLE.

20 ~~(B) THE DEPARTMENT SHALL INCLUDE THE COMMISSION IN ITS ANNUAL~~  
21 ~~BUDGET.~~

22 ~~6-13-2306.~~

23 THE COMMISSION SHALL HAVE THE FULL COOPERATION OF ALL EXECUTIVE  
24 DEPARTMENTS AND AGENCIES OF THE STATE IN THE PERFORMANCE OF ITS DUTIES.  
25 ~~7-13-2307.~~

26 THE COMMISSION SHALL SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND,  
27 SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL  
28 ASSEMBLY THROUGH THE SECRETARY AND SHALL INCLUDE RECOMMENDATIONS  
29 BASED ON ITS STUDIES.

30 ~~8-13-2308.~~

31 THE COMMISSION SHALL HAVE NO AUTHORITY TO ADOPT RULES AND  
32 REGULATIONS.

33 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members~~  
34 ~~of the Maryland Commission for Men whose term of office begins on October 1, 2006,~~  
35 ~~shall expire as follows:~~

1           (1)     in 2008, two members appointed by the Governor, one member  
2 appointed by the President of the Senate; and one member appointed by the Speaker  
3 of the House of Delegates;

4           (2)     in 2009, one member appointed by the Governor, two members  
5 appointed by the President of the Senate, and one member appointed by the Speaker  
6 of the House of Delegates; and

7           (3)     in 2010, one member appointed by the Governor, one member  
8 appointed by the President of the Senate, and two members appointed by the Speaker  
9 of the House of Delegates.

10        SECTION ~~3~~. 2. AND BE IT FURTHER ENACTED, That, in making  
11 appointments under this Act, the Governor, the President of the Senate, and the  
12 Speaker of the House of Delegates shall ensure:

13           (1)     to the extent practicable, geographic diversity among the  
14 membership of the Maryland Commission for ~~Men~~ Men's Health; and

15           (2)     that appointments are made without regard to the race, color,  
16 disability, gender, religion, age, or national origin of the appointees.

17        SECTION ~~4~~. 3. AND BE IT FURTHER ENACTED, That this Act shall take  
18 effect October 1, 2006. It shall remain effective for a period of 4 years and, at the end  
19 of September 30, 2010, with no further action required by the General Assembly, this  
20 Act shall be abrogated and of no further force and effect.