

# HOUSE BILL 503

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By: **Delegates Kipke, Ali, Barkley, Benson, Cardin, Carr, Costa, Donoghue, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Howard, Hubbard, Kach, Krebs, Kullen, Myers, Olszewski, Pena-Melnyk, Reznik, Riley, Robinson, Schuh, Shewell, Sophocleus, Sossi, Stocksdales, Taylor, F. Turner, Waldstreicher, and Weldon**

Introduced and read first time: February 4, 2009

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Maryland Commission on Autism**

3 FOR the purpose of establishing the Maryland Commission on Autism; providing for  
4 the membership of the Commission; requiring the membership of the  
5 Commission to consist of broad representation of the State’s citizens;  
6 designating the chair of the Commission; establishing a quorum requirement;  
7 requiring the Commission to meet a certain number of times per year; requiring  
8 the Commission to meet a certain number of times before a certain date;  
9 authorizing the Commission to hold meetings in a certain manner; prohibiting a  
10 member of the Commission from receiving compensation; authorizing a member  
11 of the Commission to receive certain reimbursement; requiring a certain person  
12 to designate certain staff for the Commission; requiring the Commission to  
13 make certain recommendations; requiring the Commission to make a certain  
14 evaluation; requiring the Commission to carry out certain tasks in preparing a  
15 certain plan; authorizing the Commission to undertake certain responsibilities;  
16 requiring the Commission to report to the General Assembly on or before  
17 certain dates; defining a certain term; providing for the termination of this Act;  
18 and generally relating to autism awareness.

19 BY adding to

20 Article – Health – General

21 Section 13–2801 through 13–2806 to be under the new subtitle “Subtitle 28.  
22 Maryland Commission on Autism”

23 Annotated Code of Maryland

24 (2005 Replacement Volume and 2008 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article - Health - General**

4 **SUBTITLE 28. MARYLAND COMMISSION ON AUTISM.**

5 **13-2801.**

6 **THERE IS A MARYLAND COMMISSION ON AUTISM.**

7 **13-2802.**

8 **IN THIS SUBTITLE, "COMMISSION" MEANS THE MARYLAND COMMISSION**  
9 **ON AUTISM.**

10 **13-2803.**

11 **(A) THE COMMISSION CONSISTS OF:**

12 **(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY**  
13 **THE PRESIDENT OF THE SENATE;**

14 **(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY**  
15 **THE SPEAKER OF THE HOUSE;**

16 **(3) THE DEPUTY SECRETARY OF BEHAVIORAL HEALTH AND**  
17 **DISABILITIES, OR THE DEPUTY SECRETARY'S DESIGNEE;**

18 **(4) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**  
19 **SUPERINTENDENT'S DESIGNEE;**

20 **(5) THE SECRETARY OF HUMAN RESOURCES, OR THE**  
21 **SECRETARY'S DESIGNEE; AND**

22 **(6) THE FOLLOWING 17 MEMBERS, TO BE APPOINTED BY THE**  
23 **GOVERNOR:**

24 **(I) TWO REPRESENTATIVES FROM DIFFERENT**  
25 **INSTITUTIONS OF HIGHER LEARNING LOCATED IN THE STATE;**

26 **(II) AN INDIVIDUAL EMPLOYED AS A DIRECTOR OF SPECIAL**  
27 **EDUCATION AT A SCHOOL DISTRICT LOCATED IN THE STATE;**

1 (III) A SPEECH-LANGUAGE PATHOLOGIST;

2 (IV) A DIAGNOSTICIAN;

3 (V) A MENTAL HEALTH PROVIDER;

4 (VI) A PRIMARY CARE PHYSICIAN;

5 (VII) THREE PARENTS OF INDIVIDUALS WITH AUTISM  
6 SPECTRUM DISORDERS, INCLUDING TWO PARENTS OF AN INDIVIDUAL UNDER  
7 THE AGE OF 18 YEARS AND ONE PARENT OF AN INDIVIDUAL AT LEAST 18 YEARS  
8 OLD;

9 (VIII) TWO INDIVIDUALS WITH AUTISM SPECTRUM  
10 DISORDERS;

11 (IX) A REPRESENTATIVE FROM AN INDEPENDENT PRIVATE  
12 PROVIDER OR NONPROFIT PROVIDER;

13 (X) THREE MEMBERS OF NONPROFIT ORGANIZATIONS IN  
14 THE STATE WHO PROVIDE SERVICES TO INDIVIDUALS OR FAMILIES LIVING WITH  
15 AUTISM SPECTRUM DISORDERS; AND

16 (XI) A REPRESENTATIVE FROM THE MARYLAND HOSPITAL  
17 ASSOCIATION.

18 (B) MEMBERS OF THE COMMISSION SHALL CONSIST OF A BROAD  
19 REPRESENTATION OF MARYLAND CITIZENS, BOTH URBAN AND RURAL, WHO ARE  
20 CONCERNED WITH THE HEALTH AND QUALITY OF LIFE FOR INDIVIDUALS WITH  
21 AUTISM SPECTRUM DISORDERS.

22 (C) THE DEPUTY SECRETARY OF BEHAVIORAL HEALTH AND  
23 DISABILITIES OR THE DEPUTY SECRETARY'S DESIGNEE SHALL BE THE CHAIR  
24 OF THE COMMISSION.

25 13-2804.

26 (A) A MAJORITY OF THE MEMBERS SERVING ON THE COMMISSION IS A  
27 QUORUM.

28 (B) THE COMMISSION SHALL MEET AT LEAST FOUR TIMES A YEAR,  
29 INCLUDING AT LEAST TWO TIMES BEFORE JUNE 1, 2010.

1           (C) THE COMMISSION MAY HOLD MEETINGS IN PERSON OR BY  
2 TELEPHONE OR VIDEO CONFERENCE.

3           (D) A MEMBER OF THE COMMISSION:

4                 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
5 COMMISSION; BUT

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

9           (E) THE DEPUTY SECRETARY OF BEHAVIORAL HEALTH AND  
10 DISABILITIES SHALL DESIGNATE THE STAFF NECESSARY TO CARRY OUT THIS  
11 SUBTITLE.

12 **13-2805.**

13           (A) THE COMMISSION SHALL:

14                 (1) ADVISE AND MAKE RECOMMENDATIONS TO THE GOVERNOR,  
15 GENERAL ASSEMBLY, AND RELEVANT STATE AGENCIES REGARDING MATTERS  
16 CONCERNING SERVICES FOR INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS  
17 AT ALL STATE LEVELS, INCLUDING HEALTH CARE, EDUCATION, AND OTHER  
18 ADULT AND ADOLESCENT SERVICES;

19                 (2) DEVELOP A COMPREHENSIVE STATEWIDE PLAN FOR AN  
20 INTEGRATED SYSTEM OF TRAINING, TREATMENT, AND SERVICES FOR  
21 INDIVIDUALS OF ALL AGES WITH AUTISM SPECTRUM DISORDERS; AND

22                 (3) EVALUATE WAYS TO PROMOTE AUTISM SPECTRUM DISORDER  
23 AWARENESS.

24           (B) IN DEVELOPING THE STATEWIDE PLAN UNDER SUBSECTION (A)(2)  
25 OF THIS SECTION, THE COMMISSION SHALL:

26                 (1) STUDY AND REPORT ON THE MEANS FOR DEVELOPING A  
27 COMPREHENSIVE, COORDINATED SYSTEM OF CARE DELIVERY ACROSS THE  
28 STATE AND ENSURING THAT RESOURCES ARE CREATED, WELL-UTILIZED, AND  
29 APPROPRIATELY DISTRIBUTED ACROSS THE STATE;

30                 (2) DETERMINE THE NEED FOR THE CREATION OF SERVICES IN  
31 DESIGNATED AREAS OF THE STATE;

1           (3) PLAN FOR EFFECTIVELY EVALUATING REGIONAL SERVICE  
2 AREAS THROUGHOUT THE STATE AND THE CAPACITY OF THE AREAS,  
3 INCLUDING OUTLINING PERSONNEL AND SKILLS THAT EXIST WITHIN THE  
4 SERVICE AREA, OTHER CAPABILITIES THAT EXIST, AND RESOURCE NEEDS THAT  
5 MAY BE UNMET;

6           (4) ASSESS THE NEED FOR ADDITIONAL BEHAVIORAL  
7 INTERVENTION CAPABILITIES AND, AS NECESSARY, THE MEANS FOR EXPANDING  
8 THOSE CAPABILITIES IN A REGIONAL SERVICE AREA;

9           (5) DEVELOP RECOMMENDATIONS FOR EXPANDING SERVICES IN  
10 CONJUNCTION WITH HOSPITALS AFTER CONSIDERING THE RESOURCES THAT  
11 EXIST IN TERMS OF SPECIALTY CLINICS, HOSPITALS, AND HOSPITAL INPATIENT  
12 CARE;

13           (6) CONDUCT AN ASSESSMENT OF THE NEED FOR COORDINATED,  
14 ENHANCED, AND TARGETED SPECIAL EDUCATION TAILORED TOWARD AUTISM  
15 SPECTRUM DISORDERS WITHIN EACH REGION OF THE STATE; AND

16           (7) DEVELOP A RECOMMENDATION FOR ENLISTING  
17 APPROPRIATE UNIVERSITIES AND COLLEGES TO ENSURE SUPPORT AND  
18 COLLABORATION IN DEVELOPING CERTIFICATION OR DEGREE PROGRAMS FOR  
19 STUDENTS SPECIALIZING IN AUTISM SPECTRUM DISORDER INTERVENTION.

20           (c) THE COMMISSION MAY:

21           (1) PROVIDE RECOMMENDATIONS REGARDING TRAINING  
22 PROGRAMS AND THE CONTENT OF TRAINING PROGRAMS BEING DEVELOPED;

23           (2) RECOMMEND INDIVIDUALS TO PARTICIPATE IN A COMMITTEE  
24 OF MAJOR STAKEHOLDERS CHARGED WITH DEVELOPING SCREENING,  
25 DIAGNOSTIC, ASSESSMENT, AND TREATMENT STANDARDS FOR THE STATE;

26           (3) PARTICIPATE IN RECOMMENDING A PANEL OF QUALIFIED  
27 PROFESSIONALS AND EXPERTS TO REVIEW EXISTING MODELS OF  
28 EVIDENCE-BASED EDUCATIONAL PRACTICES FOR ADAPTATION SPECIFIC TO  
29 THE STATE PUBLIC, AND PRIVATE SERVICE PROVIDERS; AND

30           (4) EXAMINE THE BARRIERS TO ACCURATE INFORMATION OF THE  
31 PREVALENCE OF INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS ACROSS  
32 THE STATE AND RECOMMEND A PROCESS FOR ACCURATE REPORTING OF  
33 DEMOGRAPHIC DATA.

34   **13-2806.**

1           **THE COMMISSION SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY**  
2 **IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE:**

3           **(1) ON OR BEFORE JUNE 1, 2011, ON THE COMMISSION'S**  
4 **PRELIMINARY FINDINGS AND RECOMMENDATIONS REGARDING THE**  
5 **DEVELOPMENT OF A COMPREHENSIVE STATEWIDE PLAN UNDER § 13-2805 OF**  
6 **THIS SUBTITLE; AND**

7           **(2) ON OR BEFORE SEPTEMBER 30, 2012, ON THE COMMISSION'S**  
8 **FINAL FINDINGS AND RECOMMENDATIONS REGARDING THE DEVELOPMENT OF**  
9 **A COMPREHENSIVE STATEWIDE PLAN UNDER § 13-2805 OF THIS SUBTITLE.**

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2009. It shall remain effective for a period of 3 years and, at the end of  
12 September 30, 2012, with no further action required by the General Assembly, this Act  
13 shall be abrogated and of no further force and effect.