

SENATE BILL 963

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9lr3291
CF HB 503

By: **Senators Klausmeier, Currie, Garagiola, and King**

Introduced and read first time: February 20, 2009

Assigned to: Rules

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)

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

27 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 **13-2801.**

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

4 **13-2802.**

5 **IN THIS SUBTITLE, "COMMISSION" MEANS THE MARYLAND COMMISSION**
6 **ON AUTISM.**

7 **13-2803.**

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

9 **(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY**
10 **THE PRESIDENT OF THE SENATE;**

11 **(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY**
12 **THE SPEAKER OF THE HOUSE;**

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

15 **(4) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
16 **SUPERINTENDENT'S DESIGNEE;**

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

19 **(6) THE FOLLOWING 17 MEMBERS, TO BE APPOINTED BY THE**
20 **GOVERNOR:**

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

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

25 **(III) A SPEECH-LANGUAGE PATHOLOGIST;**

26 **(IV) A DIAGNOSTICIAN;**

27 **(V) A MENTAL HEALTH PROVIDER;**

1 (VI) A PRIMARY CARE PHYSICIAN;

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

6 (VIII) TWO INDIVIDUALS WITH AUTISM SPECTRUM
7 DISORDERS;

8 (IX) A REPRESENTATIVE FROM AN INDEPENDENT PRIVATE
9 PROVIDER OR NONPROFIT PROVIDER;

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

13 (XI) A REPRESENTATIVE FROM THE MARYLAND HOSPITAL
14 ASSOCIATION.

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

19 (C) THE DEPUTY SECRETARY OF BEHAVIORAL HEALTH AND
20 DISABILITIES OR THE DEPUTY SECRETARY'S DESIGNEE SHALL BE THE CHAIR
21 OF THE COMMISSION.

22 **13-2804.**

23 (A) A MAJORITY OF THE MEMBERS SERVING ON THE COMMISSION IS A
24 QUORUM.

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

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

29 (D) A MEMBER OF THE COMMISSION:

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

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

6 (E) THE DEPUTY SECRETARY OF BEHAVIORAL HEALTH AND
7 DISABILITIES SHALL DESIGNATE THE STAFF NECESSARY TO CARRY OUT THIS
8 SUBTITLE.

9 13-2805.

10 (A) THE COMMISSION SHALL:

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

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

19 (3) EVALUATE WAYS TO PROMOTE AUTISM SPECTRUM DISORDER
20 AWARENESS.

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

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

27 (2) DETERMINE THE NEED FOR THE CREATION OF SERVICES IN
28 DESIGNATED AREAS OF THE STATE;

29 (3) PLAN FOR EFFECTIVELY EVALUATING REGIONAL SERVICE
30 AREAS THROUGHOUT THE STATE AND THE CAPACITY OF THE AREAS,
31 INCLUDING OUTLINING PERSONNEL AND SKILLS THAT EXIST WITHIN THE
32 SERVICE AREA, OTHER CAPABILITIES THAT EXIST, AND RESOURCE NEEDS THAT
33 MAY BE UNMET;

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

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

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

11 (7) DEVELOP A RECOMMENDATION FOR ENLISTING
12 APPROPRIATE UNIVERSITIES AND COLLEGES TO ENSURE SUPPORT AND
13 COLLABORATION IN DEVELOPING CERTIFICATION OR DEGREE PROGRAMS FOR
14 STUDENTS SPECIALIZING IN AUTISM SPECTRUM DISORDER INTERVENTION.

15 (C) THE COMMISSION MAY:

16 (1) PROVIDE RECOMMENDATIONS REGARDING TRAINING
17 PROGRAMS AND THE CONTENT OF TRAINING PROGRAMS BEING DEVELOPED;

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

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

25 (4) EXAMINE THE BARRIERS TO ACCURATE INFORMATION OF THE
26 PREVALENCE OF INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS ACROSS
27 THE STATE AND RECOMMEND A PROCESS FOR ACCURATE REPORTING OF
28 DEMOGRAPHIC DATA.

29 **13-2806.**

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

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

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

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