

HOUSE BILL 1146

J3, P4

11r0020

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Budget and Management)**

Introduced and read first time: February 14, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Electronic Health Records – Definition of State–Regulated Payor – State**
3 **Employee and Retiree Health and Welfare Benefits Program**

4 FOR the purpose of altering the definition of “State–regulated payor” as it relates to
5 the regulation of electronic health records to exclude the State Employee and
6 Retiree Health and Welfare Benefits Program; repealing a certain requirement
7 that the Secretary of Budget and Management ensure that the State Employee
8 and Retiree Health and Welfare Benefits Program complies with certain
9 provisions of law governing electronic health records; and generally relating to
10 electronic health records.

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 19–142(h)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2010 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – State Personnel and Pensions
18 Section 2–503(a)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2010 Supplement)

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

23 **Article – Health – General**

24 19–142.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (h) (1) “State–regulated payor” means[:

2 (i) The State Employee and Retiree Health and Welfare
3 Benefits Program; and

4 (ii) A] A carrier issuing or delivering health benefit plans in the
5 State.

6 (2) “State–regulated payor” does not include a managed care
7 organization as defined in Title 15, Subtitle 1 of this article.

8 **Article – State Personnel and Pensions**

9 2–503.

10 (a) The Secretary shall:

11 (1) adopt regulations for the administration of the Program;

12 (2) ensure that the Program complies with all federal and State laws
13 governing employee benefit plans; **AND**

14 (3) each year, recommend to the Governor the State share of the costs
15 of the Program[; and

16 (4) ensure that the Program complies with Title 19, Subtitle 1, Part IV
17 of the Health – General Article].

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2011.