

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

Re-referred to: Health and Government Operations, February 28, 2011

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2011

CHAPTER _____

1 AN ACT concerning

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

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; stating the intent of the
10 General Assembly that the State Employee and Retiree Health and Welfare
11 Benefits Program support certain incentives through certain contracts; and
12 generally relating to electronic health records.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 19–142(h)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2010 Supplement)

18 BY adding to
19 Article – Health – General
20 Section 19–143(d)(5)
21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2009 Replacement Volume and 2010 Supplement)

2 BY repealing and reenacting, with amendments,
 3 Article – State Personnel and Pensions
 4 Section 2–503(a)
 5 Annotated Code of Maryland
 6 (2009 Replacement Volume and 2010 Supplement)

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

9 **Article – Health – General**

10 19–142.

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

12 (i) The State Employee and Retiree Health and Welfare
 13 Benefits Program; and

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

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

18 19–143.

19 **(d) (5) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE**
 20 **STATE EMPLOYEE AND RETIREE HEALTH AND WELFARE BENEFITS PROGRAM**
 21 **SUPPORT THE INCENTIVES PROVIDED UNDER THIS SUBSECTION THROUGH**
 22 **CONTRACTS BETWEEN THE PROGRAM AND THE THIRD PARTY ADMINISTRATORS**
 23 **ARRANGING FOR THE DELIVERY OF HEALTH CARE SERVICES TO MEMBERS**
 24 **COVERED UNDER THE PROGRAM.**

25 **Article – State Personnel and Pensions**

26 2–503.

27 (a) The Secretary shall:

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.