

## Chapter 380

(House Bill 1146)

AN ACT concerning

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

FOR the purpose of altering the definition of “State-regulated payor” as it relates to the regulation of electronic health records to exclude the State Employee and Retiree Health and Welfare Benefits Program; repealing a certain requirement that the Secretary of Budget and Management ensure that the State Employee and Retiree Health and Welfare Benefits Program complies with certain provisions of law governing electronic health records; stating the intent of the General Assembly that the State Employee and Retiree Health and Welfare Benefits Program support certain incentives through certain contracts; and generally relating to electronic health records.

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

BY adding to  
Article – Health – General  
Section 19–143(d)(5)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

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

**Article – Health – General**

19–142.

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

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

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

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

19-143.

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

#### Article – State Personnel and Pensions

2-503.

(a) The Secretary shall:

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

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

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

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

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

**Approved by the Governor, May 10, 2011.**