

SENATE BILL 385

P1, P3

3lr1555
CF HB 327

By: **Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez**

Introduced and read first time: January 25, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Health, Education, and Social Services Provider Data**
3 **Warehouse**

4 FOR the purpose of requiring the State to authorize private sector development of a
5 certain data warehouse for certain providers; authorizing a certain provider to
6 store certain information in the data warehouse; prohibiting a certain provider
7 from using the data warehouse for certain purposes; authorizing a certain
8 provider to provide a State agency with certain information in a certain
9 manner; requiring a State agency to accept a certain submission as the
10 equivalent of certain documents; prohibiting a State agency from requiring a
11 certain provider to use the data warehouse; requiring a provider that uses the
12 data warehouse to ensure that the data is current and accessible to a certain
13 State agency; authorizing a State agency to request additional or updated
14 information from a certain provider under certain circumstances; requiring a
15 provider to submit certain information to a certain State agency within a
16 certain period of time after receiving a request from the agency; requiring
17 access to the data warehouse to be provided to a State agency free of charge;
18 defining certain terms; and generally relating to a health, education, and social
19 services provider data warehouse.

20 BY adding to

21 Article – State Government

22 Section 10–645 to be under the new part “Part VI. Health, Education, and
23 Social Services Provider Data Warehouse”

24 Annotated Code of Maryland

25 (2009 Replacement Volume and 2012 Supplement)

26 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The Task Force to Study the Procurement of Health, Education,
2 and Social Services by State Agencies recommended the development of an
3 Internet-based data warehouse (document vault) eliminating duplicative and
4 voluminous submissions to multiple agencies; and

5 WHEREAS, The State remains committed to identifying all means of
6 environmentally sound communication methods; and

7 WHEREAS, Providers of health, education, and social services are committed to
8 efficient and cost effective transmission and preservation of data; and

9 WHEREAS, Private providers of health, education, and social services are
10 required to submit to State licensing agencies volumes of corporate, fiscal, and
11 administrative documents on a recurring basis and are required to keep voluminous
12 certification files on foster parents; and

13 WHEREAS, All State agencies, facilities, and programs are taking steps to
14 support Governor O'Malley's Smart, Green, and Growing initiative, which includes
15 encouraging State employees to view documents electronically instead of on paper
16 whenever possible; now, therefore,

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

19 **Article – State Government**

20 **10-643. RESERVED.**

21 **10-644. RESERVED.**

22 **PART VI. HEALTH, EDUCATION, AND SOCIAL SERVICES PROVIDER DATA**
23 **WAREHOUSE.**

24 **10-645.**

25 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
26 **MEANINGS INDICATED.**

27 **(2) "DATA WAREHOUSE" MEANS AN INTERNET-BASED, SECURE,**
28 **AND CONSOLIDATED DOCUMENT STORAGE AND RETRIEVAL SYSTEM FOR**
29 **CORPORATE, FISCAL, AND ADMINISTRATIVE DATA NECESSARY FOR THE**
30 **LICENSING AND PROCUREMENT OF HEALTH, EDUCATION, AND SOCIAL SERVICES**
31 **AND MADE AVAILABLE TO STATE AGENCY PERSONNEL FOR THOSE PURPOSES.**

1 **(3) “PROVIDER” MEANS A HEALTH, EDUCATION, OR SOCIAL**
2 **SERVICES PROVIDER.**

3 **(B) THE STATE SHALL AUTHORIZE PRIVATE SECTOR DEVELOPMENT**
4 **AND IMPLEMENTATION OF A DATA WAREHOUSE FOR MAINTAINING CORPORATE,**
5 **FISCAL, AND ADMINISTRATIVE RECORDS OF PRIVATE PROVIDERS.**

6 **(C) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS**
7 **SECTION, A PRIVATE PROVIDER MAY USE THE DATA WAREHOUSE TO STORE**
8 **DOCUMENTS REQUIRED:**

9 **(1) FOR THE INITIAL LICENSURE AND RE-LICENSURE OF PRIVATE**
10 **HEALTH, EDUCATION, AND SOCIAL SERVICES;**

11 **(2) FOR THE PERIODIC LICENSING AND CONTRACT COMPLIANCE**
12 **MONITORING OF PROGRAMS SPECIFIED IN ITEM (1) OF THIS SUBSECTION;**

13 **(3) FOR THE CERTIFICATION AND RE-CERTIFICATION OF**
14 **PRIVATE TREATMENT FOSTER PARENTS IN ACCORDANCE WITH COMAR**
15 **07.05.02; AND**

16 **(4) BY A STATE AGENCY FOR THE PROCUREMENT OF PRIVATE**
17 **HEALTH, EDUCATION, AND SOCIAL SERVICES.**

18 **(D) A PRIVATE PROVIDER MAY NOT USE THE DATA WAREHOUSE FOR**
19 **THE STORAGE OR TRANSMISSION OF CLIENT FILES OR RECORDS.**

20 **(E) IF A PRIVATE PROVIDER USES THE DATA WAREHOUSE:**

21 **(1) THE PRIVATE PROVIDER MAY PROVIDE A STATE AGENCY WITH**
22 **THE NECESSARY INFORMATION TO ACCESS DOCUMENTS IN THE DATA**
23 **WAREHOUSE INSTEAD OF SUBMITTING PAPER DOCUMENTS OR ELECTRONIC**
24 **FILES; AND**

25 **(2) THE STATE AGENCY SHALL ACCEPT THE SUBMISSION AS THE**
26 **EQUIVALENT OF PAPER DOCUMENTS OR ELECTRONIC FILES.**

27 **(F) A STATE AGENCY MAY NOT REQUIRE A PROVIDER TO USE THE DATA**
28 **WAREHOUSE.**

29 **(G) A PROVIDER THAT USES THE DATA WAREHOUSE SHALL ENSURE**
30 **THAT THE DATA STORED BY THE PROVIDER IS CURRENT AND ACCESSIBLE TO**
31 **THE APPROPRIATE STATE AGENCY.**

1 **(H) (1) IF THE INFORMATION PROVIDED TO THE APPROPRIATE**
2 **STATE AGENCY IS NOT CURRENT OR IS UNAVAILABLE FROM THE DATA**
3 **WAREHOUSE, THE STATE AGENCY MAY REQUEST ADDITIONAL OR UPDATED**
4 **INFORMATION FROM THE PROVIDER.**

5 **(2) A PROVIDER SHALL SUBMIT ANY ADDITIONAL OR UPDATED**
6 **INFORMATION TO THE DATA WAREHOUSE WITHIN 10 BUSINESS DAYS AFTER**
7 **RECEIVING A REQUEST FROM A STATE AGENCY.**

8 **(I) ACCESS TO THE DATA WAREHOUSE SHALL BE PROVIDED TO STATE**
9 **AGENCIES WITHOUT CHARGE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2013.