

HOUSE BILL 105

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4lr0056

(PRE-FILED)

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

Requested: October 10, 2013

Introduced and read first time: January 8, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2014

CHAPTER _____

1 AN ACT concerning

2 **Maryland Health Care Commission – Powers – Authority to Award Funds and**
3 **Make Agreements With Grantees and Payees**

4 FOR the purpose of authorizing the Maryland Health Care Commission to award
5 certain funds received from any person or government agency; authorizing the
6 Commission to make agreements with certain grantees and payees; requiring
7 the Commission, in awarding certain funds, to use a certain process and
8 evaluate proposals for funding using a panel that consists of certain individuals;
9 requiring the Commission to provide certain information on its Web site and
10 submit a certain report to the General Assembly; and generally relating to the
11 powers of the Maryland Health Care Commission.

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 19–109(a)
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2013 Supplement)

17 BY adding to
18 Article – Health – General
19 Section 19–109(d)
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2013 Supplement)

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

3 **Article – Health – General**

4 19–109.

5 (a) In addition to the powers set forth elsewhere in this subtitle, the
6 Commission may:

7 (1) Adopt rules and regulations to carry out the provisions of this
8 subtitle;

9 (2) Create committees from among its members;

10 (3) Appoint advisory committees, which shall include consumers and
11 may include representatives of interested public or private organizations, to make
12 recommendations to the Commission on community–based services, long–term care,
13 acute patient services, ambulatory surgical services, specialized health care services,
14 residential treatment centers for emotionally disturbed children and adolescents,
15 mental health and alcohol and drug abuse services, and any other topic or issue that
16 the Commission considers necessary;

17 (4) Apply for and accept any funds, property, or services from any
18 person or government agency;

19 **(5) ~~AWARD~~ SUBJECT TO SUBSECTION (D) OF THIS SECTION,**
20 **AWARD ANY FUNDS RECEIVED FROM ANY PERSON OR GOVERNMENT AGENCY;**

21 **[(5)] (6)** Make agreements with a grantor or payor **OR WITH A**
22 **GRANTEE OR PAYEE** of funds, property, or services, including an agreement to make
23 any study, plan, demonstration, or project;

24 **[(6)] (7)** Publish and give out any information that relates to the
25 financial aspects of health care and is considered desirable in the public interest; and

26 **[(7)] (8)** Subject to the limitations of this subtitle, exercise any other
27 power that is reasonably necessary to carry out the purposes of this subtitle, including
28 adopting regulations that set reasonable deadlines for filing of information or reports
29 required under this subtitle and impose reasonable penalties for failure to file
30 information or reports as required.

31 **(D) (1) IN AWARDING FUNDS UNDER SUBSECTION (A)(5) OF THIS**
32 **SECTION, THE COMMISSION SHALL:**

1 **(I) USE A COMPETITIVE PROCESS THAT AFFORDS**
2 **INTERESTED PERSONS AN OPPORTUNITY TO SUBMIT A PROPOSAL FOR**
3 **FUNDING; AND**

4 **(II) EVALUATE PROPOSALS FOR FUNDING USING A PANEL**
5 **THAT CONSISTS OF INTERNAL AND EXTERNAL EVALUATORS.**

6 **(2) THE COMMISSION SHALL:**

7 **(I) PROVIDE ON ITS WEB SITE INFORMATION THAT IS**
8 **EASILY ACCESSIBLE TO THE GENERAL PUBLIC ABOUT FUNDS TO BE AWARDED**
9 **UNDER SUBSECTION (A)(5) OF THIS SECTION AND HOW TO SUBMIT A PROPOSAL;**
10 **AND**

11 **(II) SUBMIT, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
12 **GOVERNMENT ARTICLE, AN ANNUAL REPORT TO THE GENERAL ASSEMBLY**
13 **LISTING ALL FUNDS AWARDED UNDER SUBSECTION (A)(5) OF THIS SECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.