

HOUSE BILL 5

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EMERGENCY BILL
(PRE-FILED)

5lr0601

By: **Delegate O'Donnell**

Requested: November 17, 2014

Introduced and read first time: January 14, 2015

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Newborn Screening Program Fund**
3 **– Establishment**

4 FOR the purpose of establishing the Newborn Screening Program Fund; requiring the
5 Secretary of Health and Mental Hygiene to administer the Fund; providing for the
6 uses, purposes, sources of funding, investment of money, and auditing of the Fund;
7 providing that the Fund is a continuing, nonlapsing fund not subject to certain
8 provisions of law; requiring the Secretary to pay certain fees to the Comptroller;
9 requiring the Comptroller to distribute certain fees to the Fund; defining a certain
10 term; making this Act an emergency measure; and generally relating to the Newborn
11 Screening Program Fund in the Department of Health and Mental Hygiene.

12 BY adding to

13 Article – Health – General

14 Section 13–111(f) and 13–113

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2014 Supplement)

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

19 **Article – Health – General**

20 13–111.

21 **(F) (1) THE SECRETARY SHALL PAY ALL FEES COLLECTED UNDER THE**
22 **PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE**
2 **NEWBORN SCREENING PROGRAM FUND ESTABLISHED UNDER § 13-113 OF THIS**
3 **SUBTITLE.**

4 **13-113.**

5 **(A) IN THIS SECTION, “FUND” MEANS THE NEWBORN SCREENING**
6 **PROGRAM FUND.**

7 **(B) THERE IS A NEWBORN SCREENING PROGRAM FUND.**

8 **(C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR THE**
9 **SCREENING OF NEWBORN INFANTS IN THE STATE FOR CERTAIN HEREDITARY AND**
10 **CONGENITAL DISORDERS.**

11 **(D) THE SECRETARY SHALL ADMINISTER THE FUND.**

12 **(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
13 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

14 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
15 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

16 **(F) THE FUND CONSISTS OF:**

17 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 13-111(F) OF**
18 **THIS SUBTITLE;**

19 **(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**
20 **AND**

21 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
22 **THE BENEFIT OF THE FUND.**

23 **(G) THE FUND MAY BE USED ONLY TO COVER THE ADMINISTRATIVE,**
24 **LABORATORY, AND FOLLOW-UP COSTS ASSOCIATED WITH THE PERFORMANCE OF**
25 **NEWBORN SCREENING TESTS CONDUCTED UNDER THIS SUBTITLE.**

26 **(H) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN**
27 **THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

28 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
29 **WITH THE STATE BUDGET.**

1 **(J) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND**
2 **TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE**
3 **GOVERNMENT ARTICLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
5 measure, is necessary for the immediate preservation of the public health or safety, has
6 passed by a yea and nay vote supported by three-fifths of all the members elected to each
7 of the two Houses of the General Assembly, and shall take effect from the date it is enacted.