

SENATE BILL 91

J1

6lr0115

(PRE-FILED)

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

Requested: October 21, 2015

Introduced and read first time: January 13, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – State-Identified HIV Priorities**

3 FOR the purpose of requiring certain rebates received by the Department of Health and
4 Mental Hygiene from the Maryland AIDS Drug Assistance Program to be distributed
5 to a certain fund and used only to fund certain HIV prevention, surveillance, and
6 care services; and generally relating to State-identified priorities for HIV
7 prevention, surveillance, and care services.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 2–104(j)
11 Annotated Code of Maryland
12 (2015 Replacement Volume)

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

15 **Article – Health – General**

16 2–104.

17 (j) (1) Except as otherwise provided by law and [paragraph] PARAGRAPHS
18 (2) AND (3) of this subsection, the Secretary shall pay all money collected by the
19 Department under this article into the General Fund of this State.

20 (2) Any rebates received by the Department from the Maryland AIDS Drug
21 Assistance Program shall be distributed to a special nonlapsing fund that is not subject to
22 § 7–302 of the State Finance and Procurement Article, to be used only to fund:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) The Maryland AIDS Drug Assistance Program (MADAP);
- 2 (ii) The Maryland AIDS Drug Assistance Program Plus
3 (MADAP-Plus); and
- 4 (iii) Any other services to eligible individuals as allowable under Part
5 B of the federal Ryan White HIV/AIDS Program.

6 **(3) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, ANY**
7 **REBATES RECEIVED BY THE DEPARTMENT FROM THE MARYLAND AIDS DRUG**
8 **ASSISTANCE PROGRAM AS A RESULT OF STATE GENERAL FUND EXPENDITURES**
9 **SHALL BE:**

10 **(I) DISTRIBUTED TO A SEPARATE SPECIAL NONLAPSING FUND**
11 **THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT**
12 **ARTICLE; AND**

13 **(II) USED ONLY TO FUND STATE-IDENTIFIED PRIORITIES FOR**
14 **HIV PREVENTION, SURVEILLANCE, AND CARE SERVICES.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2016.