

SENATE BILL 793

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By: **Senator Cassilly**

Introduced and read first time: February 5, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Data Collection and Use –**
3 **Pregnancy Rates**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
5 regulations to implement a system for the collection of certain data regarding
6 abortions performed in the State and the use of certain data for certain purposes;
7 requiring that the regulations include provisions that protect the confidentiality of
8 certain patients; requiring that the regulations be adopted on or before a certain
9 date; and generally relating to data collection and use by the Department of Health
10 and Mental Hygiene.

11 BY adding to
12 Article – Health – General
13 Section 2–104(p)
14 Annotated Code of Maryland
15 (2015 Replacement Volume)

16 Preamble

17 WHEREAS, The State of Maryland cannot currently calculate the pregnancy rate
18 for the State or for any demographic within the State; and

19 WHEREAS, The General Assembly of Maryland has adopted a public policy aiming
20 to improve women’s reproductive health care and reduce unintended pregnancy; and

21 WHEREAS, The lack of data to assess the pregnancy rate in Maryland inhibits the
22 ability of the General Assembly and the Department of Health and Mental Hygiene to craft
23 evidence-based public policy to maintain and grow Maryland’s role as a national leader in
24 health care; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The health of women and children are of paramount importance to
2 elected officials and society as a whole; and

3 WHEREAS, In order to determine the pregnancy rate in Maryland, data on the total
4 number of induced abortions must be collected; and

5 WHEREAS, Forty–six states in the United States currently collect this data out of a
6 concern for crafting evidence–based policy; and

7 WHEREAS, The State of Maryland currently collects statistics on numerous areas
8 of medical practice, including HIV/AIDS, biological agents, births, cancer, catastrophic
9 health emergencies, contagious diseases, drug and alcohol abuse, gonococcal ophthalmia
10 neonatorum, health care disparities in minority populations, heredity and congenital
11 disorders, hospital abuse of patients, kidney diseases, maternal mortality, mental health
12 admissions, milk and milk products, miscarriages, pertussis, rabies, sentinel birth defects,
13 sterile needle and syringe exchanges, injuries causes by lethal weapons, and many other
14 health–related issues; now, therefore,

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

17 **Article – Health – General**

18 2–104.

19 **(P) (1) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT A**
20 **SYSTEM FOR:**

21 **(I) COLLECTING DATA ON THE TOTAL NUMBER OF ABORTIONS**
22 **PERFORMED IN THE STATE; AND**

23 **(II) USING THE DATA COLLECTED, TOGETHER WITH ALL OTHER**
24 **RELEVANT DATA, TO ASSESS THE OVERALL PREGNANCY RATE AND THE TEEN**
25 **PREGNANCY RATE IN THE STATE.**

26 **(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS**
27 **SUBSECTION SHALL ENSURE THE PROTECTION OF THE CONFIDENTIALITY OF**
28 **INDIVIDUALS ABOUT WHOM DATA IS COLLECTED.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Health
30 and Mental Hygiene shall adopt the regulations required under § 2–104(p) of the Health –
31 General Article, as enacted by Section 1 of this Act, on or before December 1, 2016.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
33 1, 2016.