

Chapter 660

(Senate Bill 105)

AN ACT concerning

State Advisory Council on Hereditary and Congenital Disorders – Membership and Appointments

FOR the purpose of altering the membership of the State Advisory Council on Hereditary and Congenital Disorders; requiring that the Secretary of Health, rather than the Governor, make appointments to the Advisory Committee; prohibiting the Secretary from making certain appointments until a certain term expires or unless a seat is vacant; and generally relating to the State Advisory Council on Hereditary and Congenital Disorders.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 13–104
 Annotated Code of Maryland
 (2015 Replacement Volume and 2017 Supplement)

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

Article – Health – General

13–104.

(a) (1) The Advisory Council consists of 11 voting members and [5] 4 nonvoting members.

(2) Of the 11 voting members:

(i) 1 shall be a member of the Senate appointed by the President of the Senate;

(ii) 1 shall be a member of the House of Delegates appointed by the Speaker of the House;

(iii) 4 shall be professional individuals in the field of hereditary or congenital disorders appointed by the [Governor] **SECRETARY**; and

(iv) 5 shall be individuals appointed by the [Governor] **SECRETARY**, none of whom may be:

1. A health professional or spouse of a health professional; or
2. An individual or spouse of an individual involved in the administration or ownership of any health care institution or health insurance organization.

(3) (i) Except as provided in subparagraph (iv) of this paragraph, the [Governor] **SECRETARY** shall appoint 1 professional member from a list of qualified individuals submitted to the [Governor] **SECRETARY** by each of the following organizations:

1. [The Monumental City Medical Society] **CHILDREN'S NATIONAL HEALTH SYSTEM**;
2. The Medical and Chirurgical Faculty of the State of Maryland;
3. The faculty of the University of Maryland School of Medicine; and
4. The faculties of the Johns Hopkins Medical Institutions.

(ii) The number of names on a list shall be 3.

(iii) An organization shall submit its list:

1. At least 3 months before the expiration of the term of the professional member who represents the organization; and
2. If a vacancy is for a reason other than expiration of the term, at any time before the [Governor] **SECRETARY** makes the appointment, if the organization complies with the reasonable request of the [Governor] **SECRETARY** for the list.

(iv) If a list is not submitted to the [Governor] **SECRETARY** as required under subparagraph (iii) of this paragraph, within 3 months after a request is made by the [Governor] **SECRETARY**, the [Governor] **SECRETARY** may appoint any professional individual who meets the requirements under subsection (b) of this section.

(4) [Of the 5] **THE 4** nonvoting members[:

- (i) 1 shall be a representative of the State Health Planning and Development Agency, appointed by the Secretary; and
- (ii) 4] shall be representatives of the Department, appointed by the

Secretary.

(b) Each professional individual selected for the Advisory Council shall be knowledgeable in the diagnosis and treatment of hereditary and congenital disorders.

(c) (1) The term of a voting member is 4 years.

(2) The terms of the voting members are staggered as required by the terms provided for voting members of the Advisory Council on July 1, 1982. The terms of those members end as follows:

(i) 3 in 1983;

(ii) 3 in 1984;

(iii) 3 in 1985; and

(iv) 2 in 1986.

(3) At the end of a term, a voting member continues to serve until a successor is appointed and qualifies.

(4) A voting member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A voting member who serves 2 consecutive full 4-year terms may not be reappointed for 4 years after completion of those terms.

(6) When a vacancy occurs, a successor shall be appointed promptly.

SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health may not appoint voting members to the State Advisory Council on Hereditary and Congenital Disorders until the term of a voting member serving on the Advisory Council on the effective date of this Act has expired or unless the voting member's seat is vacant.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018.

Approved by the Governor, May 15, 2018.