

# SENATE BILL 796

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9lr2827

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By: **Senators Hayes and Lam**

Introduced and read first time: February 4, 2019

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 4, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Commission on Kidney Disease – Membership – Revisions**

3 FOR the purpose of repealing a certain provision of law that prohibits certain members of  
4 the State Commission on Kidney Disease from having any direct ownership in renal  
5 dialysis or kidney transplant centers that do business in the State; altering the  
6 number of names required to be on a certain list; and generally relating to the  
7 membership of the State Commission on Kidney Disease.

8 BY repealing and reenacting, with amendments,  
9 Article – Health – General  
10 Section 13–305  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2018 Supplement)

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 13–305.

17 (a) (1) The Commission consists of 12 members appointed by the Governor.

18 (2) Of the 12 Commission members:

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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 (i) 1 shall be an individual from the Renal Administrators  
2 Association;

3 (ii) 3 shall be individuals who are laypersons to the field of medicine;

4 (iii) 3 shall be individuals appointed at the discretion of the Governor  
5 who[;

6 1. Are] ARE medical specialists or other patient care  
7 providers in nephrology or kidney transplants]; and

8 2. Do not have any direct ownership in renal dialysis or  
9 kidney transplant centers that do business in the State];

10 (iv) 4 shall be individuals appointed as provided in paragraph (3) of  
11 this subsection; and

12 (v) 1 shall be a renal social worker nominated by the Maryland  
13 Chapter of the Council of Nephrology Social Workers or the National Capital Area Chapter  
14 of the Council of Nephrology Social Workers.

15 (3) (i) Except as provided in subparagraph (iv) of this paragraph, the  
16 Governor shall appoint 1 member from a list of individuals submitted to the Governor by  
17 each of the following organizations:

18 1. The Kidney Foundation of Maryland;

19 2. The faculty of the University of Maryland School of  
20 Medicine;

21 3. The faculty of the Johns Hopkins University School of  
22 Medicine; and

23 4. The Medical and Chirurgical Faculty of the State of  
24 Maryland.

25 (ii) The number of names on a list shall be at least [3] 2.

26 (iii) An organization shall submit its list at least 3 months before the  
27 expiration of the term of the member who represents the organization.

28 (iv) If a list is not submitted to the Governor as required under  
29 subparagraph (iii) of this paragraph or if a vacancy occurs for a reason other than expiration  
30 of the term, the Governor may appoint any individual without the list.

31 (b) (1) The term of a member is 4 years.

1           (2)    The terms of the members are staggered as required by the terms  
2 provided for members of the Commission on July 1, 1982. The terms of one fourth of those  
3 members end each year.

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

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

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

10          (6)    (i)    If a vacancy occurs, the Governor promptly shall appoint a  
11 successor who will serve until the term expires.

12                   (ii)   The successor may be reappointed for a full term.

13          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.