

# HOUSE BILL 1349

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CF SB 777

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By: **Delegate Sample-Hughes**

Introduced and read first time: February 12, 2021

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, February 23, 2021

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2021

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

1 AN ACT concerning

2 **Public Health – Maryland Prenatal and Infant Care Grant Program Fund**

3 FOR the purpose of renaming the Maryland Prenatal and Infant Care Coordination  
4 Services Grant Program Fund to be the Maryland Prenatal and Infant Care Grant  
5 Program Fund; altering the purpose of the Fund to include making grants to  
6 federally qualified health centers, hospitals, and certain providers to increase access  
7 to prenatal care; requiring the Governor to include in the annual budget bill certain  
8 appropriations for the Fund; altering the types of grants for which the Fund may be  
9 used to include grants to federally qualified health centers, hospitals, and certain  
10 providers to provide and promote certain care; requiring the Secretary of Health to  
11 consult with the Maternal and Child Health Bureau in the Maryland Department of  
12 Health to establish certain procedures; altering the proposals from counties or  
13 municipalities that are required to receive priority in the awarding of certain grants;  
14 requiring that priority for awarding grants under certain provisions of this Act be  
15 given to certain proposals; requiring the Secretary, in coordination with the Bureau,  
16 to award certain grants to federally qualified health centers, hospitals, and providers  
17 of prenatal care that propose a certain program; authorizing a federally qualified  
18 health center, hospital, or provider of prenatal care that receives a certain grant to  
19 use the funding to promote and market the proposed program; ~~prohibiting the~~  
20 ~~amount of a certain grant from exceeding a certain percentage of a certain cost~~  
21 authorizing the Secretary to require an applicant to provide certain funds or  
22 contributions as a condition of receiving a certain grant; requiring the Secretary to  
23 distribute at least a certain amount in total grants for certain fiscal years; requiring  
24 the Secretary to ensure that certain grants awarded under a certain program are

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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 used for certain purposes; requiring the Secretary to submit to the Governor and the  
2 General Assembly a certain report on or before a certain date each year; repealing  
3 an obsolete provision of law; altering a certain definition; defining certain terms;  
4 making conforming and technical changes; and generally relating to the Maryland  
5 Prenatal and Infant Care Grant Program Fund.

6 BY repealing and reenacting, without amendments,  
7 Article – Health – General  
8 Section 19–301(a) and (f), 24–1503, and 24–1505  
9 Annotated Code of Maryland  
10 (2019 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, with amendments,  
12 Article – Health – General  
13 Section 24–1501, 24–1502, and 24–1504 to be under the amended subtitle “Subtitle  
14 15. Maryland Prenatal and Infant Care Grant Program Fund”  
15 Annotated Code of Maryland  
16 (2019 Replacement Volume and 2020 Supplement)

17 BY adding to  
18 Article – Health – General  
19 Section 24–1506  
20 Annotated Code of Maryland  
21 (2019 Replacement Volume and 2020 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – State Finance and Procurement  
24 Section 6–226(a)(2)(ii)106.  
25 Annotated Code of Maryland  
26 (2015 Replacement Volume and 2020 Supplement)

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

29 **Article – Health – General**

30 19–301.

31 (a) In this subtitle the following words have the meanings indicated.

32 (f) “Hospital” means an institution that:

33 (1) Has a group of at least 5 physicians who are organized as a medical  
34 staff for the institution;

35 (2) Maintains facilities to provide, under the supervision of the medical  
36 staff, diagnostic and treatment services for 2 or more unrelated individuals; and

1 (3) Admits or retains the individuals for overnight care.

2 Subtitle 15. Maryland Prenatal and Infant Care [Coordination Services] Grant Program  
3 Fund.

4 24–1501.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Care coordination services” means an active, ongoing process of assisting an  
7 individual to identify, access, and use community resources and coordinating services to  
8 meet the individual’s needs.

9 (c) “Fund” means the Maryland Prenatal and Infant Care [Coordination  
10 Services] Grant Program Fund established under § 24–1502(a) of this subtitle.

11 **(D) “HOSPITAL” HAS THE MEANING STATED IN § 19–301 OF THIS**  
12 **ARTICLE.**

13 **(E) “PROVIDER OF PRENATAL CARE” MEANS A HEALTH CARE PROVIDER**  
14 **WHO PROVIDES OBSTETRIC AND GYNECOLOGIC SERVICES PERFORMED AS PART OF**  
15 **A PRENATAL CARE PROGRAM, WHICH MAY INCLUDE:**

16 **(1) SCREENING;**

17 **(2) PHYSICAL EXAMINATION;**

18 **(3) LABORATORY AND DIAGNOSTIC TESTING PROCEDURES AND**  
19 **INTERPRETATION; AND**

20 **(4) COUNSELING IS AUTHORIZED TO PROVIDE PRENATAL SERVICES**  
21 **UNDER THE HEALTH OCCUPATIONS ARTICLE.**

22 24–1502.

23 (a) There is a Maryland Prenatal and Infant Care [Coordination Services] Grant  
24 Program Fund.

25 (b) The purpose of the Fund is to make grants to [counties]:

26 **(1) COUNTIES** and municipalities to provide care coordination services to  
27 low-income pregnant and postpartum women and to children from birth to 3 years old;  
28 **AND**

1           **(2) FEDERALLY QUALIFIED HEALTH CENTERS, HOSPITALS, AND**  
2 **PROVIDERS OF PRENATAL CARE TO INCREASE ACCESS TO PRENATAL CARE, WHICH**  
3 **MAY INCLUDE BEHAVIORAL AND ORAL HEALTH SERVICES NECESSARY FOR**  
4 **MAINTAINING A HEALTHY PREGNANCY.**

5           (c) The Secretary shall:

6                   (1) Award grants from the Fund; and

7                   (2) Oversee the operation of the Fund.

8           (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of  
9 the State Finance and Procurement Article.

10                   (2) The State Treasurer shall hold the Fund separately, and the  
11 Comptroller shall account for the Fund.

12           (e) The Fund consists of:

13                   (1) Money appropriated in the State budget to the Fund;

14                   (2) Investment earnings of the Fund; and

15                   (3) Any other money from any other source accepted for the benefit of the  
16 Fund.

17           (f) (1) [In fiscal year 2020, the Governor shall include in the annual budget  
18 \$50,000 for the Fund.

19                   (2) For] **IN** fiscal [year] **YEARS** 2021 and [each fiscal year thereafter]  
20 **2022**, the Governor shall include in the annual budget **AN APPROPRIATION OF \$100,000**  
21 **for the Fund.**

22           **(2) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL**  
23 **APPROPRIATIONS IN THE FOLLOWING AMOUNTS FOR THE FUND:**

24                   **(I) \$1,100,000 FOR FISCAL YEAR 2023;**

25                   **(II) \$2,100,000 FOR FISCAL YEAR 2024; AND**

26                   **(III) \$3,100,000 FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR**  
27 **THEREAFTER.**

28           (g) The Fund may be used only to provide grants to [counties]:

1           **(1) COUNTIES** and municipalities to provide care coordination services to  
2 low-income pregnant and postpartum women and children from birth to 3 years old; **AND**

3           **(2) FEDERALLY QUALIFIED HEALTH CENTERS, HOSPITALS, AND**  
4 **PROVIDERS OF PRENATAL CARE TO PROVIDE AND PROMOTE PRENATAL CARE TO**  
5 **WOMEN WHO WOULD OTHERWISE NOT RECEIVE PRENATAL CARE.**

6           (h) (1) The State Treasurer shall invest the money of the Fund in the same  
7 manner as other State money may be invested.

8           (2) Any interest earnings of the Fund shall be credited to the Fund,  
9 including interest earnings under subsection (e) of this section.

10          (i) Expenditures from the Fund may be made only in accordance with the State  
11 budget.

12          (j) Money expended from the Fund for grants under this subtitle is supplemental  
13 to and is not intended to take the place of funding that otherwise would be appropriated for  
14 care coordination services.

15          (k) The Fund is subject to audit by the Office of Legislative Audits as provided in  
16 § 2-1220 of the State Government Article.

17 24-1503.

18          (a) Any county or municipality may apply to the Secretary for a grant from the  
19 Fund to be applied toward a program that provides care coordination services to  
20 low-income pregnant and postpartum women and to children from birth to 3 years old.

21          (b) An application for a grant from the Fund shall include, at minimum:

22               (1) Evidence that the county's or municipality's care coordination services  
23 will be a collaborative effort involving:

24                       (i) The appropriate public service agencies; and

25                       (ii) Community-based providers; and

26               (2) A plan for the establishment of a database that collects data from the  
27 program to ensure that the services are provided to the families with the highest need.

28 24-1504.

29          (a) **(1) [The] SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,**  
30 **THE** Secretary[, after consultation with the members of the Children's Cabinet,] shall  
31 establish procedures for the distribution of money from the Fund.

1           **(2) IN ESTABLISHING PROCEDURES FOR AWARDING GRANTS UNDER §**  
 2 **24-1503 OF THIS SUBTITLE, THE SECRETARY SHALL CONSULT WITH THE MEMBERS**  
 3 **OF THE CHILDREN'S CABINET.**

4           **(3) IN ESTABLISHING PROCEDURES FOR AWARDING GRANTS UNDER §**  
 5 **24-1506 OF THIS SUBTITLE, INCLUDING THE PROCEDURE BY WHICH A FEDERALLY**  
 6 **QUALIFIED HEALTH CENTER, HOSPITAL, OR PROVIDER OF PRENATAL CARE MAY**  
 7 **APPLY FOR A GRANT, THE SECRETARY SHALL CONSULT WITH THE MATERNAL AND**  
 8 **CHILD HEALTH BUREAU IN THE DEPARTMENT.**

9           (b) Priority on awarding grants **UNDER § 24-1503 OF THIS SUBTITLE** shall be  
 10 given to proposals from a county or municipality that:

11           (1) Has:

- 12           (i) A high number of births to women enrolled in Medicaid;
- 13           (ii) High rates of infant mortality; ~~and~~
- 14           (iii) High rates of preterm births; and

15           **(IV) HIGH RATES OF INFANTS WITH LOW BIRTHWEIGHT; AND**

16           (2) Demonstrates that the program will be coordinated with  
 17 community-based service providers.

18           **(C) PRIORITY ON AWARDING GRANTS UNDER § 24-1506 OF THIS SUBTITLE**  
 19 **SHALL BE GIVEN TO PROPOSALS FROM FEDERALLY QUALIFIED HEALTH CENTERS,**  
 20 **HOSPITALS, OR PROVIDERS OF PRENATAL CARE THAT PROPOSE TO SERVE**  
 21 **COMMUNITIES THAT HAVE:**

22           **(1) A HIGH NUMBER OF BIRTHS TO WOMEN ENROLLED IN THE**  
 23 **MARYLAND MEDICAL ASSISTANCE PROGRAM;**

24           **(2) HIGH RATES OF INFANT MORTALITY; ~~AND~~**

25           **(3) HIGH RATES OF PRETERM BIRTHS; AND**

26           **(4) HIGH RATES OF INFANTS WITH LOW BIRTHWEIGHT.**

27 24-1505.

1 A county or municipality awarded a grant from the Fund shall submit annually to  
2 the Secretary and, in accordance with § 2-1257 of the State Government Article, the  
3 General Assembly a report that includes data describing:

- 4 (1) The services provided;
- 5 (2) The number of individuals receiving services;
- 6 (3) Outcomes for individuals receiving services; and
- 7 (4) An assessment of the funded activities' ability to scale.

8 **24-1506.**

9 (A) (1) (I) THE SECRETARY SHALL, IN COORDINATION WITH THE  
10 MATERNAL AND CHILD HEALTH BUREAU IN THE DEPARTMENT, AWARD  
11 COMPETITIVE GRANTS TO FEDERALLY QUALIFIED HEALTH CENTERS, HOSPITALS,  
12 AND PROVIDERS OF PRENATAL CARE THAT PROPOSE A PROGRAM TO INCREASE  
13 ACCESSIBILITY TO PRENATAL CARE IN COMMUNITIES WITH MEMBERS WHO WOULD  
14 OTHERWISE NOT RECEIVE PRENATAL CARE, INCLUDING WOMEN WHO CANNOT  
15 OBTAIN PRENATAL CARE DUE TO THEIR IMMIGRATION STATUS.

16 (II) A FEDERALLY QUALIFIED HEALTH CENTER, HOSPITAL, OR  
17 PROVIDER OF PRENATAL CARE THAT RECEIVES A GRANT UNDER THIS PARAGRAPH  
18 MAY USE THE FUNDING TO PROMOTE AND MARKET THE PROPOSED PROGRAM.

19 (2) ~~THE AMOUNT OF A GRANT AWARDED TO A FEDERALLY QUALIFIED~~  
20 ~~HEALTH CENTER, HOSPITAL, OR PROVIDER OF PRENATAL CARE UNDER THIS~~  
21 ~~SUBSECTION MAY NOT EXCEED 75% OF THE TOTAL COST OF OPERATING THE~~  
22 ~~PROPOSED PROGRAM~~ THE SECRETARY MAY REQUIRE AN APPLICANT TO PROVIDE  
23 MATCHING FUNDS OR IN-KIND CONTRIBUTIONS AS A CONDITION OF RECEIVING A  
24 GRANT UNDER THIS SECTION.

25 (3) THE SECRETARY SHALL DISTRIBUTE AT LEAST THE FOLLOWING  
26 TOTALS IN GRANTS UNDER THIS SECTION:

27 (I) \$1,000,000 IN FISCAL YEAR 2023;

28 (II) \$2,000,000 IN FISCAL YEAR 2024; AND

29 (III) \$3,000,000 IN FISCAL YEAR 2025 AND EACH FISCAL YEAR  
30 THEREAFTER.

31 (B) THE SECRETARY SHALL ENSURE THAT GRANTS AWARDED UNDER THIS  
32 SECTION ARE USED FOR THE PURPOSES OF:

1 (1) IMPROVING THE HEALTH OUTCOMES OF PREGNANT WOMEN IN  
2 THE COMMUNITY SERVED USING THE GRANT FUNDS; AND

3 (2) COLLECTING SUFFICIENT DATA TO DETERMINE HOW TO EXPAND  
4 SUCCESSFUL ELEMENTS OF THE PROGRAM TO OTHER COMMUNITIES IN THE STATE.

5 ~~(B)~~ (C) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2023,  
6 THE SECRETARY SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §  
7 2-1257 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY A  
8 REPORT ON THE GRANTS DISTRIBUTED UNDER THIS SECTION FOR THE MOST  
9 RECENT CLOSED FISCAL YEAR, INCLUDING:

10 (1) THE TOTAL NUMBER OF GRANTS DISTRIBUTED; AND

11 (2) INFORMATION ABOUT GRANT RECIPIENTS AND THE PROGRAMS  
12 AND SERVICES PROVIDED USING THE GRANT FUNDING.

13 **Article – State Finance and Procurement**

14 6-226.

15 (a) (2) (ii) The provisions of subparagraph (i) of this paragraph do not apply  
16 to the following funds:

17 106. the Maryland Prenatal and Infant Care [Coordination  
18 Services] Grant Program Fund;

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.