

## Chapter 495

**(Senate Bill 777)**

AN ACT concerning

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

FOR the purpose of renaming the Maryland Prenatal and Infant Care Coordination Services Grant Program Fund to be the Maryland Prenatal and Infant Care Grant Program Fund; altering the purpose of the Fund to include making grants to federally qualified health centers, hospitals, and certain providers to increase access to prenatal care; requiring the Governor to include in the annual budget bill certain appropriations for the Fund; altering the types of grants for which the Fund may be used to include grants to federally qualified health centers, hospitals, and certain providers to provide and promote certain care; requiring the Secretary of Health to consult with the Maternal and Child Health Bureau in the Maryland Department of Health to establish certain procedures; altering the proposals from counties or municipalities that are required to receive priority in the awarding of certain grants; requiring that priority for awarding grants under certain provisions of this Act be given to certain proposals; requiring the Secretary, in coordination with the Bureau, to award certain grants to federally qualified health centers, hospitals, and providers of prenatal care that propose a certain program; authorizing a federally qualified health center, hospital, or provider of prenatal care that receives a certain grant to use the funding to promote and market the proposed program; ~~prohibiting the amount of a certain grant from exceeding a certain percentage of a certain cost~~ authorizing the Secretary to require an applicant to provide certain funds or contributions as a condition of receiving a certain grant; requiring the Secretary to distribute at least a certain amount in total grants for certain fiscal years; requiring the Secretary to ensure that certain grants awarded under a certain program are used for certain purposes; requiring the Secretary to submit to the Governor and the General Assembly a certain report on or before a certain date each year; repealing an obsolete provision of law; altering a certain definition; defining certain terms; making conforming and technical changes; and generally relating to the Maryland Prenatal and Infant Care Grant Program Fund.

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

BY repealing and reenacting, with amendments,  
 Article – Health – General  
 Section 24–1501, 24–1502, and 24–1504 to be under the amended subtitle “Subtitle  
 15. Maryland Prenatal and Infant Care Grant Program Fund”  
 Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY adding to

Article – Health – General

Section 24–1506

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)106.

Annotated Code of Maryland

(2015 Replacement Volume and 2020 Supplement)

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

**Article – Health – General**

19–301.

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

(f) “Hospital” means an institution that:

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

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

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

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

24–1501.

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

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

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

(D) "HOSPITAL" HAS THE MEANING STATED IN § 19-301 OF THIS ARTICLE.

(E) "PROVIDER OF PRENATAL CARE" MEANS A HEALTH CARE PROVIDER WHO PROVIDES OBSTETRIC AND GYNECOLOGIC SERVICES PERFORMED AS PART OF A PRENATAL CARE PROGRAM, WHICH MAY INCLUDE:

~~(1) SCREENING;~~

~~(2) PHYSICAL EXAMINATION;~~

~~(3) LABORATORY AND DIAGNOSTIC TESTING PROCEDURES AND INTERPRETATION; AND~~

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

24-1502.

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

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

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

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

(c) The Secretary shall:

(1) Award grants from the Fund; and

(2) Oversee the operation of the Fund.

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

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

(e) The Fund consists of:

- (1) Money appropriated in the State budget to the Fund;
- (2) Investment earnings of the Fund; and
- (3) Any other money from any other source accepted for the benefit of the

Fund.

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

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

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

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

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

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

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

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

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

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

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

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

(j) Money expended from the Fund for grants under this subtitle is supplemental

to and is not intended to take the place of funding that otherwise would be appropriated for care coordination services.

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

24–1503.

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

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

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

- (i) The appropriate public service agencies; and
- (ii) Community-based providers; and

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

24–1504.

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

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

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

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

- (1) Has:
  - (i) A high number of births to women enrolled in Medicaid;

(ii) High rates of infant mortality; ~~and~~

(iii) High rates of preterm births; and

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

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

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

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

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

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

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

24-1505.

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

(1) The services provided;

(2) The number of individuals receiving services;

(3) Outcomes for individuals receiving services; and

(4) An assessment of the funded activities' ability to scale.

24-1506.

**(A) (1) (I) THE SECRETARY SHALL, IN COORDINATION WITH THE MATERNAL AND CHILD HEALTH BUREAU IN THE DEPARTMENT, AWARD COMPETITIVE GRANTS TO FEDERALLY QUALIFIED HEALTH CENTERS, HOSPITALS, AND PROVIDERS OF PRENATAL CARE THAT PROPOSE A PROGRAM TO INCREASE ACCESSIBILITY TO PRENATAL CARE IN COMMUNITIES WITH MEMBERS WHO WOULD**

OTHERWISE NOT RECEIVE PRENATAL CARE, INCLUDING WOMEN WHO CANNOT OBTAIN PRENATAL CARE DUE TO THEIR IMMIGRATION STATUS.

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

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

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

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

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

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

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

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

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

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

(1) THE TOTAL NUMBER OF GRANTS DISTRIBUTED; AND

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

**Article – State Finance and Procurement**

6–226.

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

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

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

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.**