

HOUSE BILL 1367

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CF SB 709

By: Delegate Howard

Introduced and read first time: February 11, 2022

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: April 1, 2022

Returned to second reading: April 2, 2022

House action: Adopted with floor amendments

Read second time: April 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative**
 3 **Therapies Fund – Establishment**
 4 **(David Perez Military Heroes Act (End 22 a Day))**

5 FOR the purpose of establishing the Post-Traumatic Stress Disorder and Traumatic Brain
 6 Injury Alternative Therapies Fund as a special, nonlapsing fund; and generally
 7 relating to the Post-Traumatic Stress Disorder Alternative Therapies Fund.

8 BY adding to

9 Article – Health – General

10 Section 24-1801 and 24-1802 to be under the new subtitle “Subtitle 18.
 11 Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative
 12 Therapies Fund”

13 Annotated Code of Maryland

14 (2019 Replacement Volume and 2021 Supplement)

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**

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 **SUBTITLE 18. POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN**
2 **INJURY ALTERNATIVE THERAPIES FUND.**

3 **24-1801.**

4 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
5 **INDICATED.**

6 **(B) “ALTERNATIVE THERAPIES” INCLUDES HYPERBARIC OXYGEN THERAPY**
7 **AND PSYCHEDELICS INCLUDING 3,4-METHYLENEDIOXYMETHAMPHETAMINE**
8 **(MDMA), PSILOCYBIN, AND KETAMINE.**

9 **(C) “FUND” MEANS THE POST-TRAUMATIC STRESS DISORDER AND**
10 **TRAUMATIC BRAIN INJURY ALTERNATIVE THERAPIES FUND.**

11 **(D) “VETERAN” MEANS A FORMER MEMBER OF THE FOLLOWING ENTITIES**
12 **WHO WAS DISCHARGED FROM ACTIVE DUTY:**

13 **(1) THE ARMED FORCES OF THE UNITED STATES;**

14 **(2) A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED**
15 **STATES; OR**

16 **(3) THE NATIONAL GUARD OF ANY STATE.**

17 **24-1802.**

18 **(A) THERE IS A POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC**
19 **BRAIN INJURY ALTERNATIVE THERAPIES FUND.**

20 **(B) THE PURPOSE OF THE FUND IS TO SUPPORT THE DEPARTMENT IN**
21 **STUDYING THE EFFECTIVENESS OF AND IMPROVING ACCESS TO ALTERNATIVE**
22 **THERAPIES FOR POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN**
23 **INJURIES IN VETERANS.**

24 **(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.**

25 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
26 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

27 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
28 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

29 **(E) THE FUND CONSISTS OF:**

1 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
2 AND

3 (2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
4 THE BENEFIT OF THE FUND.

5 (F) THE FUND MAY BE USED ONLY FOR:

6 (1) STUDYING THE USE OF ALTERNATIVE THERAPIES FOR VETERANS
7 WITH POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURIES;

8 (2) IMPROVING ACCESS TO ALTERNATIVE THERAPIES FOR VETERANS
9 WITH POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURIES;

10 (3) ANY USES DETERMINED BY THE DEPARTMENT UNDER
11 SUBSECTION (I) OF THIS SECTION; AND

12 (4) ADMINISTRATIVE EXPENSES OF THE DEPARTMENT IN
13 ADMINISTERING THE FUND.

14 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
15 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

16 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
17 THE GENERAL FUND OF THE STATE.

18 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
19 WITH THE STATE BUDGET.

20 (I) THE DEPARTMENT PERIODICALLY SHALL CONSULT WITH THE
21 DEPARTMENT OF VETERANS AFFAIRS, THE JOHNS HOPKINS UNIVERSITY, THE
22 UNIVERSITY OF MARYLAND, SHEPPARD PRATT, ~~AND~~ WALTER REED NATIONAL
23 MILITARY MEDICAL CENTER, AND BRAINFUTURES TO DETERMINE:

24 (1) THE EFFECTIVENESS OF AND A METHOD FOR IMPROVING ACCESS
25 TO ALTERNATIVE THERAPIES FOR TREATING POST-TRAUMATIC STRESS DISORDER
26 AND TRAUMATIC BRAIN INJURIES IN VETERANS; AND

27 (2) APPROPRIATE USES OF THE FUND THAT FURTHER THE FUND'S
28 PURPOSE UNDER SUBSECTION (B) OF THIS SECTION.

29 (J) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2024, THE
30 DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §
31 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A

1 **REPORT ON THE USE OF THE FUND DURING THE IMMEDIATELY PRECEDING FISCAL**
 2 **YEAR.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2024, the
 4 Governor shall include in the annual budget bill an appropriation in an amount of
 5 \$1,000,000 to the Post-Traumatic Stress Disorder and Traumatic Brain Injury Alternative
 6 Therapies Fund established under § 24-1802 of the Health – General Article, as enacted
 7 by Section 1 of this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Department of
 9 Health shall report to the Governor and, in accordance with § 2-1257 of the State
 10 Government Article, the General Assembly:

11 (1) on or before December 1, 2022, its initial findings and recommendations
 12 under § 24-1802(i) of the Health – General Article, as enacted by Section 1 of this Act; and

13 (2) on or before December 1, 2024, findings and recommendations from
 14 studies funded by the Post-Traumatic Stress Disorder and Traumatic Brain Injury
 15 Alternative Therapies Fund established under § 24-1802 of the Health – General Article,
 16 as enacted by Section 1 of this Act, including:

17 (i) any findings regarding the efficacy of alternative therapies as
 18 treatment for post-traumatic stress disorder and traumatic brain injuries; and

19 (ii) recommendations on budgetary, legislative, or regulatory
 20 changes to expand access to alternative therapies for veterans with post-traumatic stress
 21 disorder and traumatic brain injuries.

22 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 23 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.