

SENATE BILL 709

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CF 2lr3006

By: **Senators Elfreth, Salling, Bailey, Beidle, Hester, Hough, Jackson, Jennings, Klausmeier, and Smith**

Introduced and read first time: February 4, 2022

Assigned to: Budget and Taxation and Finance

A BILL ENTITLED

AN ACT concerning

Post-Traumatic Stress Disorder Alternative Therapies Fund – Establishment (David Perez Military Heroes Act (End 22 a Day))

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

BY adding to

Article – Health – General

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

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

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

Article – Health – General

SUBTITLE 18. POST-TRAUMATIC STRESS DISORDER ALTERNATIVE THERAPIES FUND.

24–1801.

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

**(B) “ALTERNATIVE THERAPIES” INCLUDES HYPERBARIC OXYGEN THERAPY
AND PSYCHEDELICS INCLUDING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3,4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA), PSILOCYBIN, AND KETAMINE.

(C) "FUND" MEANS THE POST-TRAUMATIC STRESS DISORDER ALTERNATIVE THERAPIES FUND.

(D) "VETERAN" MEANS A FORMER MEMBER OF THE FOLLOWING ENTITIES WHO WAS DISCHARGED FROM ACTIVE DUTY:

(1) THE ARMED FORCES OF THE UNITED STATES;

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

(3) THE NATIONAL GUARD OF ANY STATE.

24-1802.

(A) THERE IS A POST-TRAUMATIC STRESS DISORDER ALTERNATIVE THERAPIES FUND.

(B) THE PURPOSE OF THE FUND IS TO SUPPORT THE DEPARTMENT IN STUDYING THE EFFECTIVENESS OF AND IMPROVING ACCESS TO ALTERNATIVE THERAPIES FOR POST-TRAUMATIC STRESS DISORDER IN VETERANS.

(C) THE DEPARTMENT SHALL ADMINISTER 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;
AND

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

(F) THE FUND MAY BE USED ONLY FOR:

(1) STUDYING THE USE OF ALTERNATIVE THERAPIES FOR VETERANS WITH POST-TRAUMATIC STRESS DISORDER;

(2) PROVIDING COST-FREE ACCESS TO ALTERNATIVE THERAPIES FOR VETERANS WITH POST-TRAUMATIC STRESS DISORDER;

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

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

(G) (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 GENERAL FUND OF THE STATE.

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

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

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

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

(J) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2024, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A REPORT ON THE USE OF THE FUND DURING THE IMMEDIATELY PRECEDING FISCAL YEAR.

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

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

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

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

(i) any findings regarding the efficacy of alternative therapies as treatment for post–traumatic stress disorder; and

(ii) recommendations on budgetary, legislative, or regulatory changes to expand access to alternative therapies for veterans with post–traumatic stress disorder.

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