SB0691/843226/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 691
(First Reading File Bill)

AMENDMENT NO. 1
On page 1, in line 2, strike "**Cybersecurity –**"; in the same line, after "**Ecosystem**" insert "**Stakeholder Cybersecurity Workgroup**"; strike beginning with "requiring" in line 3 down through "ecosystem" in line 17 and substitute "establishing the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup to develop strategies to prevent cybersecurity disruptions to the healthcare ecosystem, ensure the continuous delivery of essential healthcare ecosystem services, and enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident; and generally relating to the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup".

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 31 on page 2, inclusive.

AMENDMENT NO. 2
On pages 2 through 13, strike in their entirety the lines beginning with line 32 on page 1 through line 5 on page 13, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:".

On page 13, after line 29, insert:

"(9) "Workgroup" means the Healthcare Ecosystem Stakeholder Cybersecurity Workgroup.".

On page 14, in line 1, after "(b)" insert "(1)"; strike beginning with "The" in line 1 down through "State" in line 3 and substitute "There is a Healthcare Ecosystem Stakeholder Cybersecurity Workgroup"; after line 3, insert:

"(2)   The purpose of the Workgroup is to develop strategies to:

(i)   prevent cybersecurity disruptions to healthcare ecosystem operations;

(ii)   ensure the continuous delivery of essential healthcare ecosystem services; and

(iii)   enhance recovery efforts of the healthcare ecosystem following a cybersecurity incident.";

in line 4, after "(c)" insert "The Workgroup consists of the following members:

(1)   one member of the Senate of Maryland, appointed by the President of the Senate;

(2)   one member of the House of Delegates, appointed by the Speaker of the House;

(3)   the Chairman of the Maryland Health Care Commission, or the Chairman's designee;

(4)   the Maryland Insurance Commissioner, or the Commissioner's designee;

(5)   the Secretary of Emergency Management, or the Secretary's designee;

(6)   the State Chief Information Security Officer, or the State Chief Officer's designee;

(7)   two representatives from the Subcommittee on Critical Infrastructure of the Maryland Cybersecurity Council, appointed by the Chair of the Maryland Cybersecurity Council;

(8)   one representative from each of the following organizations, designated by the head of the organization:

(i)   one representative of the Cooperative Exchange;

(ii)   one representative of the Electronic Health Record Association;

(iii)   one representative of the Maryland League of Life and Health Insurers;

(iv)   one representative of the Maryland Hospital Association; and

(v)   one representative of the Maryland Cybersecurity Association;

(9)   one representative of a pharmacy benefits manager, appointed by the Maryland Insurance Commissioner;

(10)   the following representatives appointed by the Chairman of the Maryland Health Care Commission:

(i)   one representative of an electronic data interchange clearinghouse;

(ii)   one representative of a freestanding medical facility;

(iii)   one representative of a large hospital;

(iv)   one representative of a small hospital;

(v)   one representative of an inpatient psychiatric hospital; and

(vi)   one representative of a health information exchange; and

(11)   three representatives of a patient advocacy group, jointly appointed by the Chairman of the Maryland Health Care Commission and the Maryland Insurance Commissioner.

(d)   The Chairman of the Maryland Health Care Commission, or the Chairman's designee, and the Maryland Insurance Commissioner, or the Commissioner's designee, shall cochair the Workgroup.

(e)   The Maryland Health Care Commission and the Maryland Insurance Administration shall provide staff for the Workgroup.

(f)   A member of the Workgroup:

(1)   may not receive compensation as a member of the Workgroup; but

(2)   is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g)";

in the same line, strike "workgroup" and substitute "Workgroup"; in line 5, after "capabilities" insert "required for the delivery of health care during a cybersecurity

attack"; in line 8, after "State" insert "against the essential health care capabilities and identified functional requirements"; strike beginning with "identify" in line 11 down through "ecosystem" in line 12 and substitute "develop an ecosystem cybersecurity threat and risk assessment based on the essential health care capabilities and supporting functions;

       (6)   examine cybersecurity challenges affecting the healthcare ecosystem based on the threat and risk assessment";

in line 13, strike "(6)" and substitute "(7)"; in line 15, strike the second "and"; strike in their entirety lines 16 through 18, inclusive, and substitute:

       "(8)   make recommendations for adopting and maintaining cybersecurity regulatory standards; and

       (9)   make recommendations for ensuring that essential capabilities and supporting functions are resilient to disruption.";

in line 19, strike "(d)" and substitute "(h)"; in the same line, strike "July" and substitute "January"; in lines 19 and 24, in each instance, strike "Maryland Health Care Commission" and substitute "Workgroup"; in lines 20 and 21, strike "defining the scope and contents of the State's healthcare ecosystem" and substitute "of its findings and recommendations"; in lines 21 and 26, in each instance, after "Management," insert "the Chairman of the Maryland Health Care Commission,"; in line 24, strike "July" and substitute "December"; in the same line, strike "2028" and substitute "2026"; strike in their entirety lines 29 and 30; in line 31, strike "5." and substitute "2."; strike beginning with ", except" in line 31 down through "Act," in line 32; in line 32, strike "Section 3 of this Act" and substitute "It"; in line 33, strike "4" and substitute "2"; in the same line, strike "2029" and substitute "2027"; and in the same line, strike "Section 3 of".