

# HOUSE BILL 94

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(PRE-FILED)

5lr0266  
CF SB 224

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By: **Chair, Health and Government Operations Committee (By Request –  
Departmental – Health)**

Requested: October 6, 2024

Introduced and read first time: January 8, 2025

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: February 4, 2025

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

1 AN ACT concerning

2 **Opioid-Associated Disease Prevention and Outreach Programs – Appeals and**  
3 **Membership of Standing Advisory Committee**

4 FOR the purpose of authorizing a local health department or community-based  
5 organization to appeal to the Secretary of Health or the Secretary's designee, rather  
6 than to the Deputy Secretary for Public Health Services, an adverse decision of the  
7 Maryland Department of Health and a local health officer regarding an application  
8 for authorization to operate an Opioid-Associated Disease Prevention and Outreach  
9 Program; altering the membership of the Standing Advisory Committee on  
10 Opioid-Associated Disease Prevention and Outreach Programs; and generally  
11 relating to Opioid-Associated Disease Prevention and Outreach Programs.

12 BY repealing and reenacting, without amendments,  
13 Article – Health – General  
14 Section 24-901(a) and (f)  
15 Annotated Code of Maryland  
16 (2023 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Health – General  
19 Section 24-902, 24-904, and 24-905  
20 Annotated Code of Maryland  
21 (2023 Replacement Volume and 2024 Supplement)

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

3 **Article – Health – General**

4 24–901.

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

6 (f) “Program” means an Opioid–Associated Disease Prevention and Outreach  
7 Program.

8 24–902.

9 (a) (1) A Program may be established by a local health department or a  
10 community–based organization, subject to the provisions of this subtitle.

11 (2) (i) A county may cooperate with another county to establish a  
12 Program.

13 (ii) A community–based organization may establish a multicounty  
14 Program.

15 (3) This subtitle does not apply to the AIDS Prevention Sterile Needle and  
16 Syringe Exchange Pilot Program established under Subtitle 8 of this title.

17 (b) (1) (i) A local health department or community–based organization  
18 shall apply to the Department and a local health officer for authorization to operate a  
19 Program.

20 (ii) A local health department or community–based organization  
21 may apply at any time for authorization to operate a Program under subparagraph (i) of  
22 this paragraph.

23 (2) The Department and a local health officer jointly shall issue an  
24 authorization determination based on the ability of a Program to meet the requirements of  
25 this subtitle.

26 (3) The Department and a local health officer shall:

27 (i) Approve or deny an application for authorization to operate a  
28 Program within 60 days after receiving a complete application; and

29 (ii) Provide to the applicant a written explanation of the decision of  
30 the Department and local health officer.

1           (4) (i) A local health department or community-based organization  
2 may appeal an adverse decision by the Department and a local health officer to the  
3 **[Deputy] Secretary [for Public Health Services] OR THE SECRETARY'S DESIGNEE.**

4           (ii) The **[Deputy] Secretary OR THE SECRETARY'S DESIGNEE**  
5 shall:

6           1. Grant or deny an appeal within 60 days after receiving an  
7 appeal; and

8           2. Provide a written explanation of the **[Deputy] Secretary's**  
9 **OR THE SECRETARY'S DESIGNEE'S** decision to the local health department or  
10 community-based organization.

11       (c) If established under subsection (a) of this section, a Program shall:

12       (1) Provide for substance use outreach, education, and linkage to treatment  
13 services to participants, including distribution and collection of hypodermic needles and  
14 syringes; and

15       (2) Operate in accordance with:

16       (i) The technical assistance of the Standing Advisory Committee;  
17 and

18       (ii) The procedures, plans, and protocols approved by:

19       1. The local health officer for each county in which a Program  
20 is established; and

21       2. The Department.

22 24-904.

23       (a) The Department shall appoint a Standing Advisory Committee on  
24 Opioid-Associated Disease Prevention and Outreach Programs.

25       (b) The Standing Advisory Committee shall consist of:

26       (1) The **[Deputy] Secretary [for Public Health Services] OR THE**  
27 **SECRETARY'S DESIGNEE;**

28       (2) One individual from academia who specializes in public health issues  
29 related to substance-related disorders or infectious diseases;

1 (3) One representative from law enforcement, nominated by the Executive  
2 Director of the Governor's Office of Crime Prevention and Policy;

3 (4) One individual with expertise in the prevention of HIV or viral  
4 hepatitis;

5 (5) One health care practitioner with experience providing services to  
6 individuals who inject drugs;

7 (6) One individual with substance use experience;

8 (7) One family member of an individual who injects or has injected drugs;

9 (8) One representative of local law enforcement;

10 (9) One local health officer;

11 (10) One representative of a local or regional hospital;

12 (11) One individual with experience in syringe services programs; and

13 (12) Any additional members recommended by the Department.

14 (c) The [Deputy] Secretary [for Public Health Services] **OR THE SECRETARY'S**  
15 **DESIGNEE** shall serve as chair of the Standing Advisory Committee.

16 (d) The Standing Advisory Committee shall:

17 (1) Provide technical assistance to each Program on developing:

18 (i) Program operating procedures for collection and distribution of  
19 hypodermic needles and syringes;

20 (ii) A plan for community outreach and education; and

21 (iii) A protocol for linking Program participants to substance-related  
22 disorder treatment and recovery services; and

23 (2) Make recommendations to a Program regarding any aspect of Program  
24 procedures or operation.

25 24-905.

26 (a) The Department shall:

1 (1) Adopt regulations for the implementation of this subtitle, in  
2 consultation with the Standing Advisory Committee and the Maryland Association of  
3 County Health Officers; and

4 (2) Ensure the provision of technical assistance to a Program about best  
5 practices, best practice protocols, and other subject areas.

6 (b) The regulations adopted under subsection (a)(1) of this section shall establish:

7 (1) Procedures for ensuring the security of Program locations and  
8 equipment;

9 (2) An appeals process for appeals authorized by § 24-902(b)(4) of this  
10 subtitle, including the standard of review that the [Deputy] Secretary [for Public Health  
11 Services] **OR THE SECRETARY’S DESIGNEE** must apply when reviewing a decision of the  
12 Department and a local health officer; and

13 (3) Procedures for data collection and Program evaluation.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
15 1, 2025.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.