

Chapter 28

(Senate Bill 224)

AN ACT concerning

Opioid–Associated Disease Prevention and Outreach Programs – Appeals and Membership of Standing Advisory Committee

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

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

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

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

Article – Health – General

24–901.

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

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

24–902.

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

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

(ii) A community-based organization may establish a multicounty Program.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Operate in accordance with:

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

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

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

2. The Department.

24–904.

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

(b) The Standing Advisory Committee shall consist of:

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

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

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

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

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

(6) One individual with substance use experience;

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

(8) One representative of local law enforcement;

(9) One local health officer;

- (10) One representative of a local or regional hospital;
- (11) One individual with experience in syringe services programs; and
- (12) Any additional members recommended by the Department.

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

(d) The Standing Advisory Committee shall:

- (1) Provide technical assistance to each Program on developing:
 - (i) Program operating procedures for collection and distribution of hypodermic needles and syringes;
 - (ii) A plan for community outreach and education; and
 - (iii) A protocol for linking Program participants to substance-related disorder treatment and recovery services; and
- (2) Make recommendations to a Program regarding any aspect of Program procedures or operation.

24–905.

(a) The Department shall:

- (1) Adopt regulations for the implementation of this subtitle, in consultation with the Standing Advisory Committee and the Maryland Association of County Health Officers; and
- (2) Ensure the provision of technical assistance to a Program about best practices, best practice protocols, and other subject areas.

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

- (1) Procedures for ensuring the security of Program locations and equipment;
- (2) An appeals process for appeals authorized by § 24–902(b)(4) of this subtitle, including the standard of review that the **[Deputy] Secretary [for Public Health Services] OR THE SECRETARY'S DESIGNEE** must apply when reviewing a decision of the Department and a local health officer; and
- (3) Procedures for data collection and Program evaluation.

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

Approved by the Governor, April 8, 2025.