



February 6, 2026

The Honorable Melissa Wells

Chair, Government, Labor, and Elections Committee
145 Lowe House Office Building
Annapolis, Maryland 21401

**RE: HB 166 – Public Health – Henrietta Lacks Commission – Establishment
(Henrietta Lacks Commission of Maryland Act of 2026)**

Dear Chair Wells:

The Maryland State Council on Cancer Control (Council) respectfully submits this letter of information regarding House Bill 166 - Public Health – Henrietta Lacks Commission – Establishment (Henrietta Lacks Commission of Maryland Act of 2026) (HB 166). The Council supports the bill’s intent to promote public awareness, education, and recognition of scientific contributions that have advanced biomedical research and public health.

At the same time, the Council wishes to share considerations related to the bill’s proposal to establish a commission with responsibilities that include providing bioethical oversight of research activities. The Council believes it is important for policymakers to be aware that extensive, well-established bioethical safeguards already govern biomedical and public health research in Maryland and nationally.

Existing Ethical Oversight Frameworks:

Biomedical research involving human subjects is already subject to multiple layers of rigorous, enforceable ethical and scientific oversight, including:

- Institutional Review Boards (IRBs) operating under federal regulations to protect research participants
- Scientific review committees that assess study design, scientific merit, and ethical considerations
- Federal and state compliance requirements governing human subject research
- Ongoing monitoring, reporting, and accountability mechanisms following study approval

Together, these existing mechanisms provide comprehensive oversight designed to safeguard participants, ensure ethical conduct, and maintain public trust in biomedical research. The Code of Federal Regulations (CFR), specifically 45 CFR 46 (HHS) and 21 CFR 56 (FDA), mandates that Institutional Review Boards (IRBs) protect human subjects



in research. These regulations define IRB membership, authority, procedures, and criteria for approval, ensuring ethical standards, risk mitigation, and informed consent are met. 45 CFR 46.111 requires the IRB to ensure risks are minimized, risks are reasonable in relation to benefits, subject selection is equitable, and privacy is protected. IRBs must have at least five members, including scientific and non-scientific members, and at least one person not affiliated with the institution.

Concerns Regarding Redundancy and Unintended Consequences:

The Council is concerned that assigning bioethical oversight responsibilities to a new commission may create redundancy with these established systems. The unnecessary burden of such a committee has the potential of hindering lifesaving research in Maryland. Introducing an additional layer of review could unintentionally make research approval processes more cumbersome, delay important scientific work, and create uncertainty regarding authority and decision-making. Such duplication may not meaningfully enhance protections beyond what current frameworks already provide.

The Council also notes that bioethical review requires specialized expertise and clearly defined authority. Without careful alignment with existing oversight mechanisms, a new commission-based review structure could complicate compliance and divert resources without improving ethical outcomes.

The Council offers this information in the spirit of constructive engagement and support for the bill's educational goals. We respectfully encourage consideration of approaches that promote awareness and public education while continuing to rely on existing, well-functioning ethical oversight systems.

Thank you for the opportunity to provide this information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Taofeek Owonikoko". The signature is fluid and cursive, with a large initial "T" and "O".

Taofeek Owonikoko, MD
Chair
Maryland State Council on Cancer Control