

SENATE BILL 898

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71r2647
CF 71r2821

By: **Senator Britt**

Introduced and read first time: February 21, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Commission for Autoimmune Disease Information and Research**

3 FOR the purpose of creating the Maryland Commission for Autoimmune Disease
4 Information and Research in the Department of Health and Mental Hygiene;
5 providing for the membership of the Commission; providing for reimbursement
6 for certain expenses of members of the Commission; providing that a
7 commissioner who fails to attend a certain number of meetings during a certain
8 time period is considered to have resigned; requiring the Commission to elect a
9 chair and vice chair; authorizing the Commission to appoint certain officers;
10 requiring the Secretary of Health and Mental Hygiene to designate certain
11 staff; establishing the duties of the Commission; authorizing the Commission to
12 accept certain funds under certain circumstances; requiring the Commission to
13 submit a certain report to the Governor and the General Assembly on or before
14 a certain date each year; establishing an Autoimmune Disease Information and
15 Research Fund; providing for the administration, purpose, funding, and status
16 of the Fund; specifying certain powers and duties of the Secretary; providing for
17 the termination of this Act; and generally relating to the Maryland Commission
18 for Autoimmune Disease Information and Research.

19 BY adding to

20 Article – Health – General

21 Section 13–2501 through 13–2509 to be under the new subtitle “Subtitle 25.
22 Maryland Commission for Autoimmune Disease Information and
23 Research”

24 Annotated Code of Maryland

25 (2005 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Preamble

2 WHEREAS, Autoimmune diseases affect between 15,000,000 to 24,000,000
3 Americans and are more prevalent than cancer and heart disease; and

4 WHEREAS, Autoimmune diseases can affect every part of the human body and
5 cause severe disability and pain; and

6 WHEREAS, Women are more than twice as likely to suffer from an
7 autoimmune disease than men; and

8 WHEREAS, The cost of treating autoimmune diseases in Maryland is estimated
9 to be \$1.87 billion annually; and

10 WHEREAS, Little is known about the true impact and prevalence of these
11 devastating health conditions in Maryland; and

12 WHEREAS, The Maryland Autoimmune Disease Task Force, which sunset in
13 December 2006, recommended quick and precise action; and

14 WHEREAS, Maryland is prominently situated to take decisive action and a
15 Commission for Autoimmune Disease Information and Research is needed to ensure a
16 better understanding of these health conditions in Maryland; now, therefore,

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

19 **Article - Health - General**20 **SUBTITLE 25. MARYLAND COMMISSION FOR AUTOIMMUNE DISEASE**
21 **INFORMATION AND RESEARCH.**22 **13-2501.**

23 **THERE IS A MARYLAND COMMISSION FOR AUTOIMMUNE DISEASE**
24 **INFORMATION AND RESEARCH IN THE DEPARTMENT.**

25 **13-2502.**

26 **(A) THE COMMISSION CONSISTS OF:**

1 **(1) FIVE INDIVIDUALS APPOINTED BY THE GOVERNOR, WITH THE**
2 **ADVICE AND CONSENT OF THE SENATE;**

3 **(2) ONE INDIVIDUAL APPOINTED BY THE PRESIDENT OF THE**
4 **SENATE; AND**

5 **(3) ONE INDIVIDUAL APPOINTED BY THE SPEAKER OF THE**
6 **HOUSE OF DELEGATES.**

7 **(B) (1) THE FOLLOWING MEMBERS OF THE COMMISSION SHALL BE**
8 **APPOINTED FROM AMONG APPLICANTS WHO HAVE BEEN NOMINATED AND**
9 **RECOMMENDED FOR APPOINTMENT BY ORGANIZATIONS LOCATED IN THE**
10 **STATE WHOSE INTERESTS RELATE TO AUTOIMMUNE DISEASE:**

11 **(I) THREE MEMBERS APPOINTED BY THE GOVERNOR;**

12 **(II) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE**
13 **SENATE; AND**

14 **(III) ONE MEMBER APPOINTED BY THE SPEAKER OF THE**
15 **HOUSE OF DELEGATES.**

16 **(2) TWO MEMBERS OF THE COMMISSION SHALL BE APPOINTED**
17 **BY THE GOVERNOR FROM AMONG APPLICANTS APPLYING ON THEIR OWN**
18 **BEHALF.**

19 **(C) IN MAKING APPOINTMENTS UNDER THIS SECTION, THE GOVERNOR,**
20 **THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF**
21 **DELEGATES SHALL ENSURE:**

22 **(1) TO THE EXTENT PRACTICABLE, GEOGRAPHIC DIVERSITY**
23 **AMONG THE MEMBERS OF THE COMMISSION; AND**

24 **(2) THAT APPOINTMENTS ARE MADE WITHOUT REGARD TO THE**
25 **RACE, COLOR, DISABILITY, GENDER, RELIGION, AGE, OR NATIONAL ORIGIN OF**
26 **THE APPOINTEES.**

27 **(D) A COMMISSIONER:**

1 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
2 **COMMISSION; BUT**

3 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
4 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
5 **BUDGET.**

6 **(E) A COMMISSIONER WHO FAILS TO ATTEND AT LEAST 50% OF THE**
7 **REGULARLY SCHEDULED MEETINGS DURING ANY 12-MONTH PERIOD SHALL BE**
8 **CONSIDERED TO HAVE RESIGNED.**

9 **13-2503.**

10 **(A) THE COMMISSION SHALL ELECT A CHAIR AND A VICE CHAIR FROM**
11 **AMONG ITS MEMBERS.**

12 **(B) THE COMMISSION MAY APPOINT ANY OFFICERS THAT IT CONSIDERS**
13 **NECESSARY.**

14 **(C) STAFF NEEDED TO ASSIST THE COMMISSION IN CARRYING OUT ITS**
15 **FUNCTIONS UNDER THIS SUBTITLE SHALL BE DESIGNATED BY THE SECRETARY.**

16 **13-2504.**

17 **(A) THE COMMISSION SHALL:**

18 **(1) DEVELOP STRATEGIES AND PROGRAMS, INCLUDING**
19 **COMMUNITY OUTREACH AND PUBLIC-PRIVATE PARTNERSHIPS, DESIGNED TO:**

20 **(I) RAISE PUBLIC AWARENESS OF AUTOIMMUNE DISEASE**
21 **ISSUES INCLUDING HEALTH PROBLEMS THAT DISPROPORTIONATELY AFFECT**
22 **WOMEN AND THE IMPORTANCE OF PROPER DIAGNOSIS AND TREATMENT;**

23 **(II) ENCOURAGE THE PARTICIPATION OF MARYLAND**
24 **CITIZENS IN HEALTHY BEHAVIORS;**

25 **(III) EDUCATE MARYLAND CITIZENS ON THE BENEFITS OF**
26 **REGULAR PHYSICIAN CHECKUPS, EARLY DETECTION, PREVENTIVE HEALTH**
27 **SCREENING TESTS, AND HEALTHY LIFESTYLE PRACTICES; AND**

1 (IV) **REDUCE DISPARITIES IN MORBIDITY AND MORTALITY**
2 **RATES FOR AUTOIMMUNE DISEASES AMONG RACIAL AND ETHNIC MINORITIES**
3 **AND UNDERSERVED POPULATIONS;**

4 (2) **REVIEW THE HEALTH STATUS OF AUTOIMMUNE DISEASE**
5 **PATIENTS IN THE STATE AND UTILIZE AVAILABLE STATE AND FEDERAL**
6 **INFORMATION SOURCES TO OBTAIN A PRECISE PICTURE OF THE PRESENCE OF**
7 **AUTOIMMUNE DISEASES IN MARYLAND;**

8 (3) **ORGANIZE COMMUNITY WORKSHOPS ON AUTOIMMUNE**
9 **DISEASE;**

10 (4) **MONITOR STATE AND FEDERAL POLICY AND LEGISLATION**
11 **THAT MAY AFFECT AREAS OF INTERESTS IN AUTOIMMUNE DISEASE RESEARCH**
12 **AND STUDY; AND**

13 (5) **RECOMMEND SERVICES AND POLICY CHANGES THAT WILL**
14 **FURTHER THE GOALS OF THE COMMISSION.**

15 (B) **THE COMMISSION SHALL CONSIDER POPULATION DIVERSITY WHEN**
16 **CARRYING OUT THE DUTIES SET FORTH IN SUBSECTION (A) OF THIS SECTION.**

17 **13-2505.**

18 (A) **THE COMMISSION MAY ACCEPT:**

19 (1) **FEDERAL FUNDS GRANTED BY CONGRESS OR AN EXECUTIVE**
20 **ORDER FOR ALL OR ANY OF THE PURPOSES OF THIS SUBTITLE; AND**

21 (2) **PRIVATE GIFTS AND DONATIONS FROM INDIVIDUALS,**
22 **PRIVATE ORGANIZATIONS, OR FOUNDATIONS.**

23 (B) **THE ACCEPTANCE AND USE OF FEDERAL FUNDS MAY NOT BE**
24 **CONSIDERED A COMMITMENT OF STATE FUNDS AND PLACES NO OBLIGATION ON**
25 **THE GENERAL ASSEMBLY TO CONTINUE THE PURPOSE FOR WHICH THE FUNDS**
26 **ARE AVAILABLE.**

27 **13-2506.**

1 **THE COMMISSION SHALL HAVE THE FULL COOPERATION OF ALL**
2 **EXECUTIVE DEPARTMENTS AND AGENCIES OF THE STATE IN THE**
3 **PERFORMANCE OF ITS DUTIES.**

4 **13-2507.**

5 **ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COMMISSION SHALL**
6 **SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
7 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A REPORT THAT INCLUDES**
8 **RECOMMENDATIONS BASED ON ITS STUDIES.**

9 **13-2508.**

10 **(A) THERE IS AN AUTOIMMUNE DISEASE INFORMATION AND**
11 **RESEARCH FUND.**

12 **(B) THE FUND SHALL CONSIST OF MONEYS RECEIVED FROM ANY**
13 **LAWFUL SOURCE.**

14 **(C) (1) MONEYS IN THE FUND SHALL BE USED TO MAKE GRANTS FOR**
15 **AUTOIMMUNE DISEASE RESEARCH THAT ARE FOCUSED ON BASIC, PRECLINICAL,**
16 **AND CLINICAL RESEARCH FOR TREATING INDIVIDUALS WITH AUTOIMMUNE**
17 **DISEASES.**

18 **(2) FOR THE PURPOSE SPECIFIED IN PARAGRAPH (1) OF THIS**
19 **SUBSECTION, A GRANT MAY INCLUDE AN AWARD TO OR FOR:**

20 **(I) A PUBLIC OR PRIVATE ENTITY;**

21 **(II) A UNIVERSITY RESEARCHER;**

22 **(III) A RESEARCH INSTITUTION;**

23 **(IV) PRIVATE INDUSTRY;**

24 **(V) A CLINICAL TRIAL;**

25 **(VI) A SUPPLEMENT TO AN EXISTING CHARITABLE OR**
26 **PRIVATE INDUSTRY GRANT;**

1 **(VII) A MATCHING FUND;**

2 **(VIII) A FELLOWSHIP IN AUTOIMMUNE DISEASE RESEARCH;**
3 **OR**

4 **(IX) ANY OTHER RECIPIENT OR PURPOSE WHICH THE**
5 **COMMISSION DETERMINES IS CONSISTENT WITH THE PURPOSE SPECIFIED IN**
6 **PARAGRAPH (1) OF THIS SUBSECTION.**

7 **(D) (1) THE FUND IS A CONTINUING, NONLAPSING FUND NOT**
8 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

9 **(2) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE**
10 **TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE BUT SHALL**
11 **REMAIN IN THE FUND TO BE USED FOR THE PURPOSES SPECIFIED IN**
12 **SUBSECTION (C) OF THIS SECTION.**

13 **(E) THE CHAIR OF THE COMMISSION SHALL ADMINISTER THE FUND.**

14 **(F) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND**
15 **TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE**
16 **GOVERNMENT ARTICLE.**

17 **13-2509.**

18 **(A) THE SECRETARY MAY APPROVE AN APPLICATION FOR A GRANT FOR**
19 **THE PURPOSE SPECIFIED IN § 13-2508 OF THIS SUBTITLE, IF THE COMMISSION**
20 **HAS RECOMMENDED APPROVAL OF THAT APPLICATION.**

21 **(B) THE SECRETARY SHALL ENSURE THAT RECIPIENTS OF GRANT**
22 **FUNDS UNDER THIS SUBTITLE USE THE FUNDS FOR THE PURPOSES**
23 **AUTHORIZED BY THIS SUBTITLE.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2007. It shall remain effective for a period of 4 years and, at the end of
26 September 30, 2011, with no further action required by the General Assembly, this Act
27 shall be abrogated and of no further force and effect.