

SENATE BILL 416

J1

(11r1920)

ENROLLED BILL

— *Finance/Health and Government Operations* —

Introduced by **Senators Middleton, Edwards, ~~and Mathias~~ Mathias, Garagiola, Glassman, Kelley, Klausmeier, Muse, and Pugh**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Health Officers – Authority to Enter into Contracts or Agreements for**
3 **Delivery of Health Care Services**

4 FOR the purpose of authorizing a health officer, under certain circumstances, to enter
5 into a contract or other written agreement to assist or participate in the delivery
6 of health care services with a certain person; and generally relating to the
7 powers of health officers.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 3–306
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2010 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article – Health – General**

4 3–306.

5 (a) Except as provided by agreement between the Secretary and the local
6 governing body, and in addition to the powers and duties set forth elsewhere, each
7 health officer has the powers and duties set forth in this section.

8 (b) A health officer may obtain samples of food and drugs for analysis.

9 (c) (1) The health officer for a county is the executive officer and secretary
10 of the county board of health.

11 (2) Except in Montgomery County, the health officer for a county shall
12 appoint the staff of the county health department.

13 (3) The health officer for a county shall have an office at an accessible
14 place in the county.

15 (4) (i) The health officer for a county shall enforce throughout the
16 county:

17 1. Under the direction of the Secretary, the State health
18 laws and the policies, rules, and regulations that the Secretary adopts; and

19 2. Except as provided in subparagraph (ii) of this
20 paragraph, under the direction of the county board of health, the rules and regulations
21 that the county board of health adopts.

22 (ii) The health officer for a county shall enforce in each
23 municipality or special taxing district in the county the rules or regulations that the
24 county board of health adopts unless the municipality or district has a charter
25 provision or ordinance that:

26 1. Covers the same subject matter as the county rule or
27 regulation;

28 2. Is at least as restrictive as the county rule or
29 regulation; and

30 3. Includes provisions for enforcement.

1 (5) A health officer shall perform any investigation or other duty or
2 function directed by the Secretary or the county board of health and submit
3 appropriate reports to them.

4 (D) SUBJECT TO THE CONSENT OF THE GOVERNING BODY OF THE
5 COUNTY AND THE WRITTEN APPROVAL OF THE SECRETARY, A HEALTH OFFICER
6 FOR A COUNTY MAY ENTER INTO A CONTRACT OR ANY OTHER WRITTEN
7 AGREEMENT TO ASSIST OR PARTICIPATE IN THE DELIVERY OF HEALTH CARE
8 SERVICES WITH A PERSON THAT IS AUTHORIZED TO PROVIDE, FINANCE,
9 COORDINATE, FACILITATE, OR OTHERWISE DELIVER HEALTH CARE SERVICES IN
10 THE STATE.

11 [(d)] (E) The Secretary may delegate duties, powers, and functions as
12 provided in this article to a health officer for a county or other county official
13 authorized to administer and enforce health and environmental laws.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.