

# HOUSE BILL 375

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CF SB 403

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By: ~~Delegate Cullison~~ Delegates Cullison, Hammen, Hayes, McMillan, Oaks, Pena-Melnyk, Miele, Saab, Kelly, McDonough, Bromwell, Morgan, Morhaim, Pendergrass, Kipke, Sample-Hughes, Barron, Reznik, West, Rose, Hill, Krebs, and K. Young

Introduced and read first time: February 6, 2015

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2015

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

1 AN ACT concerning

2 **Education – Maryland Council on Advancement of School-Based Health Centers**

3 FOR the purpose of repealing the Maryland School Board Health Center Policy Advising  
4 Committee and establishing the Maryland Council on Advancement of School-Based  
5 Health Centers; specifying the duties of the Council; providing for the composition,  
6 chair, and staffing of the Council; authorizing the State Department of Education to  
7 seek the assistance of certain organizations to provide certain staffing resources;  
8 prohibiting a member of the Council from receiving certain compensation, but  
9 authorizing the reimbursement of certain expenses; requiring the Council to study  
10 and make recommendations regarding certain matters; requiring the Council to  
11 report its findings and recommendations to certain State agencies and the General  
12 Assembly on or before a certain date each year; requiring the Council to include  
13 certain recommendations in a certain report that is due on a certain date; repealing  
14 obsolete provisions of law; specifying the terms of the initial members of the Council;  
15 requiring the Department to formalize certain duties in writing under certain  
16 circumstances; and generally relating to the Maryland Council on Advancement of  
17 School-Based Health Centers.

18 BY repealing

19 Article – Education

20 Section 7-4A-01 and 7-4A-05

21 Annotated Code of Maryland

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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 (2014 Replacement Volume and 2014 Supplement)

2 BY adding to

3 Article – Education

4 Section 7–4A–01 and 7–4A–05

5 Annotated Code of Maryland

6 (2014 Replacement Volume and 2014 Supplement)

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 7–4A–02, 7–4A–03, and 7–4A–04

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2014 Supplement)

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

14 **Article – Education**

15 [7–4A–01.

16 In this subtitle, “Council” means the Maryland School–Based Health Center Policy  
17 Advisory Council.]

18 **7–4A–01.**

19 **IN THIS SUBTITLE, “COUNCIL” MEANS THE MARYLAND COUNCIL ON**  
20 **ADVANCEMENT OF SCHOOL–BASED HEALTH CENTERS.**

21 7–4A–02.

22 (a) There is a Maryland [School–Based Health Center Policy Advisory] Council  
23 **ON ADVANCEMENT OF SCHOOL–BASED HEALTH CENTERS** in the Department.

24 **(B) THE PURPOSE OF THE COUNCIL IS TO IMPROVE THE HEALTH AND**  
25 **EDUCATIONAL OUTCOMES OF STUDENTS WHO RECEIVE SERVICES FROM**  
26 **SCHOOL–BASED HEALTH CENTERS BY ADVANCING THE INTEGRATION OF**  
27 **SCHOOL–BASED HEALTH CENTERS INTO:**

28 **(1) THE HEALTH CARE SYSTEM AT THE STATE AND LOCAL LEVELS;**  
29 **AND**

30 **(2) THE EDUCATIONAL SYSTEM AT THE STATE AND LOCAL LEVELS.**

31 **[(b)] (C) (1)** Staff support for the Council shall be provided by the  
32 Department.

1           **(2) THE DEPARTMENT MAY SEEK THE ASSISTANCE OF**  
2 **ORGANIZATIONS WITH EXPERTISE IN SCHOOL-BASED HEALTH CARE OR OTHER**  
3 **MATTERS WITHIN THE DUTIES OF THE COUNCIL PROVIDED IN § 7-4A-05 OF THIS**  
4 **SUBTITLE TO PROVIDE ADDITIONAL STAFFING RESOURCES TO THE DEPARTMENT**  
5 **AND THE COUNCIL.**

6 7-4A-03.

7           [(a) The Council consists of the following 25 members:

8                   (1) The Special Secretary of the Office for Children, Youth, and Families or  
9 the Special Secretary's designee;

10                   (2) The State Superintendent of Schools or the State Superintendent's  
11 designee;

12                   (3) The Secretary of Health and Mental Hygiene or the Secretary's  
13 designee;

14                   (4) The Secretary of Juvenile Services or the Secretary's designee;

15                   (5) The Secretary of Human Resources or the Secretary's designee;

16                   (6) The Secretary of Budget and Management or the Secretary's designee;

17                   (7) One member of the Senate of Maryland appointed by the President of  
18 the Senate;

19                   (8) One member of the House of Delegates of Maryland appointed by the  
20 Speaker of the House;

21                   (9) The following members appointed by the Governor:

22                           (i) One individual with experience or expertise with the Maryland  
23 Medical Assistance Program;

24                           (ii) One local health officer;

25                           (iii) One local superintendent of schools;

26                           (iv) Three individuals from local jurisdictions, including at least one  
27 representative of a local management board;

1 (v) Three individuals who represent community leaders from  
2 organizations and faith communities that have experience or expertise with the services  
3 offered in school-based health centers;

4 (vi) Three consumers of school-based health care including students  
5 and their parents;

6 (vii) A pediatrician;

7 (viii) A nurse practitioner who serves children in a school-based  
8 health center;

9 (ix) A member of the Maryland Assembly of School-Based Health  
10 Centers;

11 (x) A dental health professional; and

12 (xi) A representative of the Behavioral Health Administration or a  
13 core service agency.]

14 (A) THE COUNCIL CONSISTS OF THE FOLLOWING ~~13~~ 14 VOTING MEMBERS  
15 AND ~~5~~ 6 EX OFFICIO MEMBERS:

16 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE  
17 PRESIDENT OF THE SENATE, AS AN EX OFFICIO MEMBER;

18 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE  
19 SPEAKER OF THE HOUSE, AS AN EX OFFICIO MEMBER;

20 (3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR A  
21 DESIGNEE OF THE SECRETARY, AS AN EX OFFICIO MEMBER;

22 (4) THE STATE SUPERINTENDENT OF SCHOOLS AS AN EX OFFICIO  
23 MEMBER;

24 (5) THE EXECUTIVE DIRECTOR OF THE MARYLAND HEALTH  
25 BENEFIT EXCHANGE AS AN EX OFFICIO MEMBER; ~~AND~~

26 (6) THE CHAIRMAN OF THE MARYLAND COMMUNITY HEALTH  
27 RESOURCES COMMISSION, OR A DESIGNEE OF THE CHAIRMAN, AS AN EX OFFICIO  
28 MEMBER; AND

29 ~~(6)~~ (7) THE FOLLOWING ~~13~~ 14 MEMBERS, APPOINTED BY THE  
30 GOVERNOR:

1 (I) THE PRESIDENT OF THE MARYLAND ASSEMBLY ON  
2 SCHOOL-BASED HEALTH CARE, OR A DESIGNEE OF THE PRESIDENT;

3 (II) THREE REPRESENTATIVES OF SCHOOL-BASED HEALTH  
4 CENTERS, NOMINATED BY THE MARYLAND ASSEMBLY ON SCHOOL-BASED HEALTH  
5 CARE:

6 1. FROM A DIVERSE ARRAY OF SPONSORING  
7 ORGANIZATIONS; AND

8 2. FOR AT LEAST ONE OF THE REPRESENTATIVES, FROM  
9 A NURSING BACKGROUND;

10 (III) ONE REPRESENTATIVE OF THE PUBLIC SCHOOLS  
11 SUPERINTENDENTS ASSOCIATION OF MARYLAND;

12 (IV) ONE ELEMENTARY SCHOOL PRINCIPAL OF A SCHOOL THAT  
13 HAS A SCHOOL-BASED HEALTH CENTER;

14 (V) ONE SECONDARY SCHOOL PRINCIPAL OF A SCHOOL THAT  
15 HAS A SCHOOL-BASED HEALTH CENTER;

16 (VI) ONE REPRESENTATIVE OF THE MARYLAND HOSPITAL  
17 ASSOCIATION;

18 (VII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION  
19 OF COUNTY HEALTH OFFICERS;

20 (VIII) ONE REPRESENTATIVE OF A FEDERALLY QUALIFIED  
21 HEALTH CENTER;

22 (IX) ONE REPRESENTATIVE OF A MANAGED CARE  
23 ORGANIZATION;

24 (X) ONE REPRESENTATIVE OF A COMMERCIAL HEALTH  
25 INSURANCE CARRIER; ~~AND~~

26 (XI) ONE PARENT OR GUARDIAN OF A STUDENT WHO UTILIZES  
27 SERVICES AT A SCHOOL-BASED HEALTH CENTER; AND

28 (XII) ONE PEDIATRICIAN.

29 (b) In making the appointments required under this section, the Governor shall  
30 ensure that the Council is representative of:

1 (1) The geographic regions of the State; and

2 (2) Minority populations of the State.

3 (c) (1) The term of a member appointed under subsection (a) of this section is  
4 3 years.

5 (2) The terms of **VOTING** members are staggered as required by the terms  
6 provided for members of the Council on October 1, **[2002] 2015**.

7 (3) At the end of a term, a member shall continue to serve until a successor  
8 is appointed and qualifies.

9 (4) A member who is appointed after a term has begun shall serve for the  
10 rest of the term or until a successor is appointed and qualifies.

11 (d) The Governor shall appoint a successor in the event of a vacancy on the  
12 Council.

13 (e) From among the members of the Council, the **[Governor] VOTING MEMBERS**  
14 **OF THE COUNCIL** shall **[designate] ELECT** a **[chairman] CHAIR** for a 2-year term.

15 (f) A member of the Council may not receive compensation but is entitled to  
16 reimbursement for expenses under the Standard State Travel Regulations, as provided in  
17 the State budget.

18 7-4A-04.

19 (a) A majority of the members then serving on the Council is a quorum.

20 (b) The Council shall determine the times and places of its meetings and any  
21 other necessary operating procedures **[which may include the establishment of**  
22 **subcommittees, consultant panels, or work groups utilizing the expertise of noncouncil and**  
23 **nonpanel members] IN ACCORDANCE WITH THE OPEN MEETINGS ACT.**

24 **(c) (1) THE COUNCIL MAY ESTABLISH WORKGROUPS TO ADVISE THE**  
25 **COUNCIL ON SPECIFIC ISSUES, INCLUDING BEHAVIORAL HEALTH, ORAL HEALTH,**  
26 **AND PRIMARY CARE.**

27 **(2) (I) THE CHAIR OF THE COUNCIL SHALL APPOINT THE**  
28 **MEMBERS OF A WORKGROUP ESTABLISHED BY THE COUNCIL UNDER PARAGRAPH**  
29 **(1) OF THIS SUBSECTION.**

30 **(II) THE CHAIR OF THE COUNCIL MAY APPOINT THE**  
31 **FOLLOWING INDIVIDUALS TO A WORKGROUP:**

1                   **1. MEMBERS OF THE COUNCIL WITH EXPERTISE IN THE**  
2 **ISSUE TO BE STUDIED; AND**

3                   **2. MEMBERS OF THE PUBLIC, INCLUDING CONSUMERS**  
4 **AND STAKEHOLDER GROUP REPRESENTATIVES, WITH EXPERTISE IN THE AREA TO**  
5 **BE STUDIED.**

6 [7-4A-05.

7           (a) The purpose of the Council is to coordinate the interagency effort to develop,  
8 sustain, and promote quality school-based health centers in Maryland.

9           (b) In consultation with appropriate State agencies and other interested  
10 organizations, including representatives from academic institutions, health care providers,  
11 and payors, the Council shall:

12                   (1) Monitor the activities and range of services of the school-based health  
13 centers;

14                   (2) Recommend legislative initiatives;

15                   (3) Develop and update a compendium of technical assistance experts that  
16 will be used as a reference when local requests for assistance come to the State;

17                   (4) Monitor the development of notifications of available funds;

18                   (5) Participate in the review of grants to local jurisdictions for the  
19 development of school-based health care programs;

20                   (6) Develop strategies for funding and reimbursement of care delivered in  
21 school-based health centers;

22                   (7) Develop a consistent outcome measurement tool to be used by all  
23 school-based health centers in the State and assess the progress of all school-based health  
24 centers based on the information collected;

25                   (8) Establish standards of practice within school-based health centers;

26                   (9) Encourage the development of models of excellence in school-based  
27 health centers;

28                   (10) Prepare an annual report to the State Department of Education and the  
29 Department of Health and Mental Hygiene; and

30                   (11) Perform other activities identified that impact on the development,  
31 sustainability, or quality of school-based health care in Maryland.]

1 7-4A-05.

2 (A) THE COUNCIL SHALL DEVELOP POLICY RECOMMENDATIONS TO  
3 IMPROVE THE HEALTH AND EDUCATIONAL OUTCOMES OF STUDENTS WHO RECEIVE  
4 SERVICES FROM SCHOOL-BASED HEALTH CENTERS BY:

5 (1) SUPPORTING LOCAL COMMUNITY EFFORTS TO ESTABLISH OR  
6 EXPAND SCHOOL-BASED HEALTH CENTER CAPACITY IN PRIMARY CARE,  
7 BEHAVIORAL HEALTH, AND ORAL HEALTH;

8 (2) INTEGRATING SCHOOL-BASED HEALTH CENTERS INTO EXISTING  
9 AND EMERGING PATIENT-CENTERED MODELS OF CARE;

10 (3) PROMOTING THE INCLUSION OF SCHOOL-BASED HEALTH  
11 CENTERS IN NETWORKS OF MANAGED CARE ORGANIZATIONS AND COMMERCIAL  
12 HEALTH INSURANCE CARRIERS;

13 (4) ADVANCING THE PUBLIC HEALTH GOALS OF STATE AND LOCAL  
14 HEALTH OFFICIALS;

15 (5) PROMOTING THE INCLUSION OF SCHOOL-BASED HEALTH  
16 CENTERS INTO NETWORKS OF SCHOOL HEALTH SERVICES AND COORDINATED  
17 STUDENT SERVICE MODELS FOR THE RANGE OF SERVICES OFFERED IN SCHOOL  
18 SETTINGS;

19 (6) SUPPORTING STATE AND LOCAL INITIATIVES TO PROMOTE  
20 STUDENT SUCCESS;

21 (7) REVIEWING AND REVISING BEST PRACTICE GUIDELINES; AND

22 (8) SUPPORTING THE LONG-TERM SUSTAINABILITY OF  
23 SCHOOL-BASED HEALTH CENTERS.

24 (B) THE COUNCIL SHALL REVIEW THE COLLECTION AND ANALYSIS OF  
25 SCHOOL-BASED HEALTH CENTER DATA COLLECTED BY THE DEPARTMENT TO:

26 (1) MAKE RECOMMENDATIONS ON BEST PRACTICES FOR THE  
27 COLLECTION AND ANALYSIS OF THE DATA; AND

28 (2) PROVIDE GUIDANCE ON THE DEVELOPMENT OF FINDINGS AND  
29 RECOMMENDATIONS BASED ON THE DATA.



1 (C) THE COUNCIL SHALL CONDUCT OTHER ACTIVITIES THE COUNCIL  
2 CONSIDERS APPROPRIATE TO MEET THE PURPOSE OF THE COUNCIL.

3 (D) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COUNCIL SHALL  
4 REPORT THE FINDINGS AND RECOMMENDATIONS OF THE COUNCIL TO THE  
5 DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE STATE DEPARTMENT OF  
6 EDUCATION, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT  
7 ARTICLE, THE GENERAL ASSEMBLY ON IMPROVING THE HEALTH AND  
8 EDUCATIONAL OUTCOMES OF STUDENTS WHO RECEIVE SERVICES FROM  
9 SCHOOL-BASED HEALTH CENTERS.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, the Maryland Council on  
11 Advancement of School-Based Health Centers shall include in its annual report that is due  
12 on or before December 31, 2016, as required under Section 1 of this Act, recommendations  
13 on:

14 (a) ~~The establishment of a~~ streamlining of the existing process for the review and  
15 approval of new school-based health centers, including the Maryland Medical Assistance  
16 Program enrollment process for school-based health centers, and the expansion of the scope  
17 of existing school-based health centers by the State Department of Education and the  
18 Department of Health and Mental Hygiene;

19 (b) The identification and elimination of barriers for managed care organizations  
20 to reimburse for services provided by school-based health centers by managed care  
21 organizations; and

22 (c) Health reform initiatives under the Maryland Medicare Waiver and  
23 patient-centered medical home initiatives.

24 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial voting  
25 members of the Maryland Council on Advancement of School-Based Health Centers shall  
26 expire as follows:

27 (1) four members in 2016;

28 (2) five members in 2017; and

29 (3) ~~four~~ five members in 2018.

30 SECTION 4. AND BE IT FURTHER ENACTED, That if the State Department of  
31 Education uses the staffing resources of other organizations under § 7-4A-02 of the  
32 Education Article, as enacted by Section 1 of this Act, the Department shall formalize the  
33 duties to be performed by the organization in writing.

34 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 2015.