

HOUSE BILL 699

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By: **Delegates Lehman, Amprey, Charles, Foley, Guyton, Henson, Johnson, R. Jones, R. Lewis, Ruth, Shetty, and Terrasa**

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Office of the Chief Medical Examiner – Grief Counseling Services**

3 FOR the purpose of requiring the Office of the Chief Medical Examiner, in coordination
4 with the Behavioral Health Administration, to establish a grief counseling services
5 program; authorizing the use of funds from the Opioid Restitution Fund to support
6 the Office of the Chief Medical Examiner and Behavioral Health Administration in
7 providing grief counseling services and resources on grief; and generally relating to
8 the Office of the Chief Medical Examiner and grief counseling services.

9 BY adding to

10 Article – Health – General

11 Section 5–311.1

12 Annotated Code of Maryland

13 (2019 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,

15 Article – State Finance and Procurement

16 Section 7–331

17 Annotated Code of Maryland

18 (2021 Replacement Volume)

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

21 **Article – Health – General**

22 **5–311.1.**

23 **(A) THE OFFICE OF THE CHIEF MEDICAL EXAMINER, IN COORDINATION**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WITH THE BEHAVIORAL HEALTH ADMINISTRATION, SHALL ESTABLISH A GRIEF
2 COUNSELING SERVICES PROGRAM.

3 (B) THE PROGRAM ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION
4 SHALL:

5 (1) INCLUDE RESOURCES ON GRIEF AND LINKS TO GRIEF
6 COUNSELING SERVICES ON THE OFFICE'S WEBSITE;

7 (2) INCLUDE RESOURCES AND EDUCATIONAL MATERIAL ON GRIEF
8 RELATED TO SUICIDE AND SUBSTANCE USE OVERDOSE DEATHS ON THE OFFICE'S
9 WEBSITE; AND

10 (3) PROVIDE GRIEF COUNSELING SERVICES THROUGH THE
11 BEHAVIORAL HEALTH ADMINISTRATION TO INDIVIDUALS WHO HAVE EXPERIENCED
12 LOSS FROM SUICIDE OR SUBSTANCE USE OVERDOSE.

13 (C) (1) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL
14 AN APPROPRIATION TO THE PROGRAM REQUIRED TO BE ESTABLISHED UNDER
15 SUBSECTION (A) OF THIS SECTION.

16 (2) THE GOVERNOR MAY USE FUNDS FROM THE OPIOID
17 RESTITUTION FUND, ESTABLISHED UNDER § 7-331 OF THE STATE FINANCE AND
18 PROCUREMENT ARTICLE, TO FUND THE PROGRAM REQUIRED TO BE ESTABLISHED
19 UNDER SUBSECTION (A) OF THIS SECTION.

20 **Article – State Finance and Procurement**

21 7-331.

22 (a) In this section, "Fund" means the Opioid Restitution Fund.

23 (b) There is an Opioid Restitution Fund.

24 (c) The purpose of the Fund is to retain the amount of settlement revenues
25 deposited to the Fund in accordance with subsection (e)(1) of this section.

26 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of
27 this subtitle.

28 (2) The State Treasurer shall hold the Fund separately, and the
29 Comptroller shall account for the Fund.

30 (e) The Fund consists of:

1 (1) all revenues received by the State from any source resulting, directly or
2 indirectly, from any judgment against, or settlement with, opioid manufacturers, opioid
3 research associations, or any other person in the opioid industry relating to any claims
4 made or prosecuted by the State to recover damages for violations of State law; and

5 (2) the interest earnings of the Fund.

6 (f) The Fund may be used only to provide funds for:

7 (1) improving access to medications proven to prevent or reverse an
8 overdose;

9 (2) supporting peer support specialists and screening, brief intervention,
10 and referral to treatment services for hospitals, correctional facilities, and other high-risk
11 populations;

12 (3) increasing access to medications that support recovery from substance
13 use disorders;

14 (4) expanding the Heroin Coordinator Program, including for
15 administrative expenses;

16 (5) expanding access to crisis beds and residential treatment services;

17 (6) expanding and establishing safe stations, mobile crisis response
18 systems, and crisis stabilization centers;

19 (7) supporting the Health Crisis Hotline;

20 (8) organizing primary and secondary school education campaigns to
21 prevent opioid use, including for administrative expenses;

22 (9) enforcing the laws regarding opioid prescriptions and sales, including
23 for administrative expenses;

24 (10) research regarding and training for substance use treatment and
25 overdose prevention, including for administrative expenses; [and]

26 (11) supporting and expanding other evidence-based interventions for
27 overdose prevention and substance use treatment; AND

28 **(12) SUPPORTING THE OFFICE OF THE CHIEF MEDICAL EXAMINER**
29 **AND THE BEHAVIORAL HEALTH ADMINISTRATION IN PROVIDING GRIEF**
30 **COUNSELING SERVICES AND RESOURCES ON GRIEF.**

31 (g) (1) The State Treasurer shall invest the money of the Fund in the same

1 manner as other State money may be invested.

2 (2) Any interest earnings of the Fund shall be credited to the Fund.

3 (h) Expenditures from the Fund may be made only in accordance with the State
4 budget.

5 (i) (1) Money expended from the Fund for the programs and services described
6 under subsection (f) of this section is supplemental to and is not intended to take the place
7 of funding that otherwise would be appropriated for the programs and services.

8 (2) Except as specified in subsection (f) of this section, money expended
9 from the Fund may not be used for administrative expenses.

10 (j) The Governor shall:

11 (1) develop key goals, key objectives, and key performance indicators
12 relating to substance use treatment and prevention efforts;

13 (2) at least once annually, consult with substance use treatment and
14 prevention stakeholders, including consumers, providers, families, and advocates, to
15 identify recommended appropriations from the Fund; and

16 (3) report on or before November 1 each year, in accordance with § 2-1257
17 of the State Government Article, to the General Assembly on:

18 (i) an accounting of total funds expended from the Fund in the
19 immediately preceding fiscal year, by:

20 1. use;

21 2. if applicable, jurisdiction; and

22 3. budget program and subdivision;

23 (ii) the performance indicators and progress toward achieving the
24 goals and objectives developed under item (1) of this subsection; and

25 (iii) the recommended appropriations from the Fund identified in
26 accordance with item (2) of this subsection.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2022.