

SENATE BILL 574

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By: **Senators Muse, Raskin, and Benson**

Introduced and read first time: February 4, 2011

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2011

CHAPTER _____

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – ~~Biennial Cancer Study~~**
3 **Workgroup on Cancer Clusters and Environmental Causes of Cancer**

4 FOR the purpose of requiring the ~~Biennial Cancer Study~~ conducted by the Department
5 of ~~Health and Mental Hygiene~~ to measure possible environmental causes of
6 ~~certain cancers, including certain chemical agents and toxins~~ Department of
7 Health and Mental Hygiene, in consultation with the Maryland Department of
8 the Environment, to convene a certain workgroup to examine certain issues;
9 requiring the workgroup to include certain representatives; requiring the
10 Department of Health and Mental Hygiene to report the findings and any
11 recommendations of the workgroup to the Governor and the General Assembly
12 on or before a certain date; and generally relating to cancer clusters and
13 environmental causes of cancer ~~and the Biennial Cancer Study.~~

14 ~~BY repealing and reenacting, without amendments,~~
15 ~~Article – Health – General~~
16 ~~Section 13-1101(a) and (t), 13-1103(a), (b), and (c), and 13-1104~~
17 ~~Annotated Code of Maryland~~
18 ~~(2009 Replacement Volume and 2010 Supplement)~~

19 ~~BY repealing and reenacting, with amendments,~~
20 ~~Article – Health – General~~
21 ~~Section 13-1103(d)~~
22 ~~Annotated Code of Maryland~~
23 ~~(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.



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 ~~13-1101.~~

5 ~~(a) In this subtitle the following words have the meanings indicated.~~

6 ~~(b) "Program" means the Cancer Prevention, Education, Screening, and~~
7 ~~Treatment Program that is established under § 13-1102 of this subtitle.~~

8 ~~13-1103.~~

9 ~~(a) There is a Surveillance and Evaluation Component in the Program.~~

10 ~~(b) The purpose of the Surveillance and Evaluation Component is to:~~

11 ~~(1) Collect, analyze, and monitor data relating to:~~

12 ~~(i) Targeted cancers;~~

13 ~~(ii) As determined by the Department, nontargeted cancers; and~~

14 ~~(iii) Cancer prevention, education, screening, and treatment~~
15 ~~programs in the State;~~

16 ~~(2) Measure and evaluate the results of the Program, including the~~
17 ~~results of each component of the Program;~~

18 ~~(3) Conduct the Baseline Cancer Study, as provided under subsections~~
19 ~~(c) and (d) of this section; and~~

20 ~~(4) Conduct a Biennial Cancer Study, as provided under § 13-1104 of~~
21 ~~this subtitle.~~

22 ~~(e) (1) To initiate the Surveillance and Evaluation Component, the~~
23 ~~Department shall conduct a comprehensive statewide Baseline Cancer Study as~~
24 ~~provided in this section.~~

25 ~~(2) The Department may:~~

26 ~~(i) Conduct the Baseline Cancer Study or any part of the Study;~~

27 ~~or~~

1 (ii) ~~Contract with a higher education institution or private~~
2 ~~entity to conduct the Baseline Cancer Study or any part of the Study.~~

3 (d) ~~The Baseline Cancer Study shall measure:~~

4 (1) ~~The number and percentage of individuals who have each targeted~~
5 ~~cancer, both statewide and in each county;~~

6 (2) ~~The number and percentage of individuals within each minority~~
7 ~~population who have each targeted cancer, both statewide and in each county;~~

8 (3) ~~The mortality rate for each targeted cancer, both statewide and in~~
9 ~~each county;~~

10 (4) ~~The mortality rate for different minority populations for each~~
11 ~~targeted cancer, both statewide and in each county;~~

12 (5) ~~The number of identifiable cancers with a high incidence in the~~
13 ~~State for which there are effective methods of:~~

14 (i) ~~Early detection; and~~

15 (ii) ~~Prevention and treatment after detection;~~

16 **(6) ~~POSSIBLE ENVIRONMENTAL CAUSES OF TARGETED AND~~**
17 **~~NONTARGETED CANCERS, INCLUDING CHEMICAL AGENTS AND OTHER TOXINS~~**
18 **~~FOUND IN THE AIR, WATER, AND SOIL;~~**

19 **~~[(6)] (7)~~** ~~Any aspect of targeted and nontargeted cancers that the~~
20 ~~Department seeks to measure; and~~

21 **~~[(7)] (8)~~** ~~Any other factor that the Department determines to be~~
22 ~~important for measuring rates of cancers in the State or for evaluating whether the~~
23 ~~Program meets its objectives.~~

24 ~~13-1104.~~

25 (a) ~~Beginning in fiscal year 2004 and biennially thereafter, the Department~~
26 ~~shall conduct a Biennial Cancer Study.~~

27 (b) ~~The Biennial Cancer Study shall:~~

28 (1) ~~Measure the same factors that are set forth in § 13-1103(d) of this~~
29 ~~subtitle; and~~

1 ~~(2) Use the same methodology or model that is used to conduct the~~
2 ~~Baseline Cancer Study.~~

3 ~~(e) The Department may:~~

4 ~~(1) Conduct the Biennial Cancer Study or any part of the Study; or~~

5 ~~(2) Contract with a higher education institution or private entity to~~
6 ~~conduct the Biennial Cancer Study or any part of the Study.~~

7 ~~(d) (1) If the Department chooses to have a higher education institution or~~
8 ~~private entity conduct the Biennial Cancer Study or any part of the Study, the~~
9 ~~Department shall issue a request for proposal to select the entity that will conduct the~~
10 ~~Study or the relevant part of the Study.~~

11 ~~(2) The Department may contract with an entity to conduct one or~~
12 ~~more biennial cancer studies or a part of one or more biennial cancer studies.~~

13 ~~(e) On or before September 1 of each odd numbered fiscal year, beginning in~~
14 ~~fiscal year 2005, the Department shall submit a report to the Governor and, subject to~~
15 ~~§ 2-1246 of the State Government Article, the General Assembly, on the results of the~~
16 ~~Biennial Cancer Study.~~

17 (a) The Department of Health and Mental Hygiene, in consultation with the
18 Maryland Department of the Environment, shall convene a workgroup to examine
19 issues relating to the investigation of potential cancer clusters in the State and
20 potential environmental causes of cancer, including:

21 (1) the process that State agencies use to research and identify cancer
22 clusters in the State;

23 (2) communication between State agencies and between State and
24 federal agencies regarding research about and the identification of cancer clusters and
25 potential environmental causes of cancer;

26 (3) research being conducted by the academic medical institutions in
27 the State on potential cancer clusters and how findings from this research are
28 communicated to the appropriate State and federal agencies; and

29 (4) whether additional information regarding potential cancer clusters
30 and potential environmental causes of cancer should be provided in annual reports to
31 the public.

32 (b) (1) The workgroup required under this section shall include
33 representatives of academic medical institutions in the State, advocates for cancer
34 patients, legislators, scientists, and environmentalists.

1 (2) In selecting members of the workgroup, the Department shall
2 include representatives from both urban and rural areas of the State.

3 (3) The Department of Health and Mental Hygiene shall invite
4 representatives of federal agencies to participate in the workgroup.

5 (c) On or before December 1, 2011, the Department of Health and Mental
6 Hygiene shall report the findings of the workgroup required under this section and
7 any recommendations of the workgroup to the Governor and, in accordance with §
8 2-1246 of the State Government Article, the General Assembly.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 ~~October~~ July 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.