

SENATE BILL 403

F1, J1

5lr2196
CF HB 375

By: ~~Senator Madaleno~~ **Senators Madaleno and Ferguson**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2015

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; prohibiting a member of the Council from receiving
7 certain compensation, but authorizing the reimbursement of certain expenses;
8 requiring the Council to study and make recommendations regarding certain
9 matters; requiring the Council to report its findings and recommendations to certain
10 State agencies and the General Assembly on or before a certain date each year;
11 requiring the Council to include certain information and recommendations in a
12 certain report that is due on a certain date; repealing obsolete provisions of law;
13 specifying the terms of the initial members of the Council; and generally relating to
14 the Maryland Council on Advancement of School–Based Health Centers.

15 BY repealing

16 Article – Education

17 Section 7–4A–01 and 7–4A–05

18 Annotated Code of Maryland

19 (2014 Replacement Volume and 2014 Supplement)

20 BY adding to

21 Article – Education

22 Section 7–4A–01 and 7–4A–05

23 Annotated Code of Maryland

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.



(2014 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–4A–02, 7–4A–03, and 7–4A–04
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

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

Article – Education

[7–4A–01.

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

7–4A–01.

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

7–4A–02.

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

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

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

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

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

7–4A–03.

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

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

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

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

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

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

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

11 (4) THE STATE SUPERINTENDENT OF SCHOOLS AS AN EX OFFICIO
12 MEMBER;

13 (5) THE EXECUTIVE DIRECTOR OF THE MARYLAND HEALTH
14 BENEFIT EXCHANGE AS AN EX OFFICIO MEMBER; AND

15 (6) THE FOLLOWING ~~13~~ 15 MEMBERS, APPOINTED BY THE
16 GOVERNOR:

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

19 (II) THREE REPRESENTATIVES OF SCHOOL-BASED HEALTH
20 CENTERS, NOMINATED BY THE MARYLAND ASSEMBLY ON SCHOOL-BASED HEALTH
21 CARE:

22 1. FROM A DIVERSE ARRAY OF SPONSORING
23 ORGANIZATIONS; AND

24 2. FOR AT LEAST ONE OF THE REPRESENTATIVES, FROM
25 A NURSING BACKGROUND;

26 (III) ONE REPRESENTATIVE OF THE PUBLIC SCHOOLS
27 SUPERINTENDENTS ASSOCIATION OF MARYLAND;

28 (IV) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION
29 OF BOARDS OF EDUCATION;

1 ~~(IV)~~ (V) ONE ELEMENTARY SCHOOL PRINCIPAL OF A SCHOOL
2 THAT HAS A SCHOOL-BASED HEALTH CENTER;

3 ~~(V)~~ (VI) ONE SECONDARY SCHOOL PRINCIPAL OF A SCHOOL
4 THAT HAS A SCHOOL-BASED HEALTH CENTER;

5 ~~(VI)~~ (VII) ONE REPRESENTATIVE OF THE MARYLAND
6 HOSPITAL ASSOCIATION;

7 ~~(VII)~~ (VIII) ONE REPRESENTATIVE OF THE MARYLAND
8 ASSOCIATION OF COUNTY HEALTH OFFICERS;

9 ~~(VIII)~~ (IX) ONE REPRESENTATIVE OF A FEDERALLY QUALIFIED
10 HEALTH CENTER, NOMINATED BY THE MID-ATLANTIC ASSOCIATION OF
11 COMMUNITY HEALTH CENTERS;

12 ~~(IX)~~ (X) ONE REPRESENTATIVE OF A MANAGED CARE
13 ORGANIZATION;

14 ~~(X)~~ (XI) ONE REPRESENTATIVE OF A COMMERCIAL HEALTH
15 INSURANCE CARRIER; ~~AND~~

16 (XII) ONE PEDIATRICIAN, NOMINATED BY THE MARYLAND
17 CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS; AND

18 ~~(XI)~~ (XIII) ONE PARENT OR GUARDIAN OF A STUDENT WHO
19 UTILIZES SERVICES AT A SCHOOL-BASED HEALTH CENTER.

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

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

23 (2) Minority populations of the State.

24 (c) (1) The term of a member appointed under subsection (a) of this section is
25 3 years.

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

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

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

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

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

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

10 7-4A-04.

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

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

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

19 **(2) (I) THE CHAIR OF THE COUNCIL SHALL APPOINT THE**
20 **MEMBERS OF A WORKGROUP ESTABLISHED BY THE COUNCIL UNDER PARAGRAPH**
21 **(1) OF THIS SUBSECTION.**

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

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

26 **2. MEMBERS OF THE PUBLIC, INCLUDING CONSUMERS**
27 **AND STAKEHOLDER GROUP REPRESENTATIVES, WITH EXPERTISE IN THE AREA TO**
28 **BE STUDIED.**

29 [7-4A-05.

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

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

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

6 (2) Recommend legislative initiatives;

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

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

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

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

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

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

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

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

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

24 **7-4A-05.**

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

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

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

3 **(3) PROMOTING THE INCLUSION OF SCHOOL-BASED HEALTH**
4 **CENTERS IN NETWORKS OF MANAGED CARE ORGANIZATIONS AND COMMERCIAL**
5 **HEALTH INSURANCE CARRIERS;**

6 **(4) ADVANCING THE PUBLIC HEALTH GOALS OF STATE AND LOCAL**
7 **HEALTH OFFICIALS;**

8 **(5) PROMOTING THE INCLUSION OF SCHOOL-BASED HEALTH**
9 **CENTERS INTO NETWORKS OF SCHOOL HEALTH SERVICES AND COORDINATED**
10 **STUDENT SERVICE MODELS FOR THE RANGE OF SERVICES OFFERED IN SCHOOL**
11 **SETTINGS;**

12 **(6) SUPPORTING STATE AND LOCAL INITIATIVES TO PROMOTE**
13 **STUDENT SUCCESS;**

14 **(7) REVIEWING AND REVISING BEST PRACTICE GUIDELINES; AND**

15 **(8) SUPPORTING THE LONG-TERM SUSTAINABILITY OF**
16 **SCHOOL-BASED HEALTH CENTERS.**

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

19 **(1) MAKE RECOMMENDATIONS ON BEST PRACTICES FOR THE**
20 **COLLECTION AND ANALYSIS OF THE DATA; AND**

21 **(2) PROVIDE GUIDANCE ON THE DEVELOPMENT OF FINDINGS AND**
22 **RECOMMENDATIONS BASED ON THE DATA.**

23 **(C) THE COUNCIL SHALL CONDUCT OTHER ACTIVITIES THE COUNCIL**
24 **CONSIDERS APPROPRIATE TO MEET THE PURPOSE OF THE COUNCIL.**

25 **(D) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COUNCIL SHALL**
26 **REPORT THE FINDINGS AND RECOMMENDATIONS OF THE COUNCIL TO THE**
27 **DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE STATE DEPARTMENT OF**
28 **EDUCATION, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT**
29 **ARTICLE, THE GENERAL ASSEMBLY ON IMPROVING THE HEALTH AND**
30 **EDUCATIONAL OUTCOMES OF STUDENTS WHO RECEIVE SERVICES FROM**
31 **SCHOOL-BASED HEALTH CENTERS.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That, the Maryland Council on
2 Advancement of School–Based Health Centers shall include in its annual report that is due
3 on or before December 31, 2016, as required under Section 1 of this Act, information on the
4 number and location of school–based health centers that are colocated with behavioral
5 health services and recommendations on:

6 (a) The establishment of a process for the review and approval of new
7 school–based health centers and the expansion of the scope of existing school–based health
8 centers by the State Department of Education and the Department of Health and Mental
9 Hygiene;

10 (b) The identification and elimination of barriers for managed care organizations
11 to reimburse for services provided by school–based health centers by managed care
12 organizations; and

13 (c) Health reform initiatives under the Maryland Medicare Waiver and
14 patient–centered medical home initiatives.

15 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial voting
16 members of the Maryland Council on Advancement of School–Based Health Centers shall
17 expire as follows:

18 (1) ~~four~~ five members in 2016;

19 (2) five members in 2017; and

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

21 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.