

# HOUSE BILL 309

J1, J2

(PRE-FILED)

11r0453  
CF 11r1621

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By: **Delegates Pena–Melnik and R. Lewis**

Requested: September 21, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Data – Race and Ethnicity Information**

3 FOR the purpose of altering a certain provision of law requiring the Maryland Office of  
4 Minority Health and Health Disparities to collaborate with the Maryland Health  
5 Care Commission to publish and provide a certain report card to require the Office  
6 to also collaborate with certain health occupations boards; requiring the report card  
7 to include the racial and ethnic composition of all individuals who hold a certain  
8 license or certificate, rather than only physicians; requiring the Office to respond to  
9 certain requests within a certain period of time to the extent authorized under  
10 certain laws; requiring the Director of the Office to meet with certain representatives  
11 at least annually to examine the collection of certain data and identify certain  
12 changes; requiring certain health occupations boards to include a certain option on  
13 a certain form and to encourage an applicant to provide certain information;  
14 requiring the Office, in coordination with the Maryland Health Care Commission  
15 and the Maryland Department of Health, to establish, submit to the General  
16 Assembly, and implement a certain plan on or before a certain date; and generally  
17 relating to public health data and race and ethnicity information.

18 BY repealing and reenacting, with amendments,  
19 Article – Health – General  
20 Section 20–1004 and 20–1005  
21 Annotated Code of Maryland  
22 (2019 Replacement Volume and 2020 Supplement)

23 BY adding to  
24 Article – Health Occupations  
25 Section 1–225  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2020 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 20–1004.

5 The Office shall:

6 (1) Be an advocate for the improvement of minority health care by working  
7 with the Department on its own, or in partnership with other public and private entities to  
8 establish appropriate forums, programs, or initiatives designed to educate the public  
9 regarding minority health and health disparities issues, with an emphasis on preventive  
10 health and healthy lifestyles;

11 (2) Assist the Secretary in identifying, coordinating, and establishing  
12 priorities for programs, services, and resources that the State should provide for minority  
13 health and health disparities issues;

14 (3) Collect, classify, and analyze relevant research information and data  
15 collected or compiled by:

16 (i) The Department;

17 (ii) The Department in collaboration with others; and

18 (iii) Other public and private entities;

19 (4) Research innovative methods and obtain resources to improve existing  
20 data systems to ensure that the health information that is collected includes specific race  
21 and ethnicity identifiers;

22 (5) Serve as a clearinghouse and resource library for information about  
23 minority health and health disparities data, strategies, services, and programs that  
24 address minority health and health disparities issues;

25 (6) Develop a strategic plan to improve public services and programs  
26 targeting minorities;

27 (7) Obtain funding and, contingent upon funding, provide grants to  
28 community–based organizations and historically black colleges and universities to conduct  
29 special research, demonstration, and evaluation projects for targeted at–risk racial and  
30 ethnic minority populations and to support ongoing community–based programs that are  
31 designed to reduce or eliminate racial and ethnic health disparities in the State;

32 (8) Develop criteria for the awarding of grants for programs that are  
33 designed to improve minority health care;

1 (9) Review existing laws and regulations to ensure that they facilitate the  
2 provision of adequate health care to the minorities of this State;

3 (10) Recommend to the Secretary any additions or changes to existing laws  
4 and regulations designed to facilitate the adequate provision of health care to minorities in  
5 this State;

6 (11) Identify and review health promotion and disease prevention strategies  
7 relating to the leading health causes of death and disability among minority populations;

8 (12) Develop and implement model public and private partnerships in racial  
9 and ethnic minority communities for health awareness campaigns and to improve the  
10 access, acceptability, and use of public health services;

11 (13) Develop recommendations for the most effective means of providing  
12 outreach to racial and ethnic minority communities throughout the State to ensure their  
13 maximum participation in publicly funded health benefits programs;

14 (14) Develop a statewide plan for increasing the number of racial and ethnic  
15 minority health care professionals which includes recommendations for the financing  
16 mechanisms and recruitment strategies necessary to carry out the plan;

17 (15) Work collaboratively with universities and colleges of medicine,  
18 nursing, pharmacy, dentistry, social work, public health, and allied health in this State and  
19 other health care professional training programs to develop courses with cultural  
20 competency, sensitivity, and health literacy, that are designed to address the problem of  
21 racial and ethnic disparities in health care access, utilization, treatment decisions, quality,  
22 and outcomes;

23 (16) Work collaboratively with the Maryland Health Care Disparities  
24 Initiative, the Morgan–Hopkins Center for Health Disparities Solutions, the University of  
25 Maryland Disparity Project, the Monumental City Medical Society, faculty and researchers  
26 at historically black colleges and universities, and other existing alliances or plans, to  
27 reduce or eliminate racial and ethnic disparities in the State;

28 (17) Seek to establish a statewide alliance with community–based agencies  
29 and organizations, historically black colleges and universities, health care facilities, health  
30 care provider organizations, managed care organizations, and pharmaceutical  
31 manufacturers to promote the objectives of the Office;

32 (18) Evaluate multicultural or racial and ethnic minority health programs  
33 in other states to assess their efficacy and potential for replication in this State and make  
34 recommendations regarding the adoption of such programs, as appropriate;

1 (19) Apply for and accept any grant of money from the federal government,  
2 private foundations, or other sources which may be available for programs related to  
3 minority health and health disparities;

4 (20) Serve as the designated State agency for receipt of federal funds  
5 specifically designated for minority health and health disparities programs;

6 (21) Work collaboratively with the Governor's Office of Small, Minority, and  
7 Women Business Affairs as the Office determines necessary; [and]

8 (22) In collaboration with the Maryland Health Care Commission **AND THE**  
9 **HEALTH OCCUPATIONS BOARDS ESTABLISHED UNDER THE HEALTH OCCUPATIONS**  
10 **ARTICLE**, publish annually on the Department's website and provide in writing on request  
11 a "Health Care Disparities Policy Report Card" that includes:

12 (i) An analysis of racial and ethnic variations in insurance coverage  
13 for low-income, nonelderly individuals;

14 (ii) The racial and ethnic composition of the [physician population]  
15 **INDIVIDUALS WHO HOLD A LICENSE OR CERTIFICATE ISSUED BY A HEALTH**  
16 **OCCUPATIONS BOARD ESTABLISHED UNDER THE HEALTH OCCUPATIONS ARTICLE**  
17 compared to the racial and ethnic composition of the State's population; and

18 (iii) The racial and ethnic disparities in morbidity and mortality rates  
19 for cardiovascular disease, cancer, diabetes, HIV/AIDS, infant mortality, asthma, and other  
20 diseases identified by the Maryland Health Care Commission; **AND**

21 **(23) TO THE EXTENT AUTHORIZED UNDER FEDERAL AND STATE**  
22 **PRIVACY LAWS, RESPOND TO REQUESTS FOR HEALTH DATA THAT INCLUDES RACE**  
23 **AND ETHNICITY INFORMATION WITHIN 30 DAYS AFTER RECEIPT OF THE REQUEST.**

24 20-1005.

25 Subject to the limitations of any law that governs the activities of other units of the  
26 Executive Branch of State government, the Director shall:

27 (1) Promote health and the prevention of disease among members of  
28 minority groups;

29 (2) Distribute grants from available federal and special funds to  
30 community-based health groups to be used to promote health and the prevention of disease  
31 among members of minority groups; [and]

32 (3) Fund projects which are innovative, culturally sensitive, and specific in  
33 their approach toward reduction of the incidence and severity of those diseases or

1 conditions which are responsible for excess morbidity and mortality in minority  
2 populations; AND

3 (4) MEET WITH REPRESENTATIVES FROM THE MARYLAND HEALTH  
4 CARE COMMISSION AND THE DEPARTMENT AT LEAST ANNUALLY TO:

5 (I) EXAMINE THE COLLECTION OF HEALTH DATA THAT  
6 INCLUDES RACE AND ETHNICITY INFORMATION IN THE STATE; AND

7 (II) IDENTIFY ANY CHANGES FOR IMPROVING THE HEALTH  
8 DATA THAT INCLUDES RACE AND ETHNICITY INFORMATION THAT IS ACCESSIBLE BY  
9 THE OFFICE.

10 Article – Health Occupations

11 1–225.

12 EACH HEALTH OCCUPATIONS BOARD AUTHORIZED TO ISSUE A LICENSE OR  
13 CERTIFICATE UNDER THIS ARTICLE SHALL:

14 (1) INCLUDE ON THE FORM FOR AN APPLICATION FOR THE LICENSE  
15 OR CERTIFICATE OR A LICENSE OR CERTIFICATE RENEWAL AN OPTION FOR THE  
16 APPLICANT TO PROVIDE THE APPLICANT’S RACE AND ETHNICITY INFORMATION;  
17 AND

18 (2) ENCOURAGE AN APPLICANT TO PROVIDE RACE AND ETHNICITY  
19 INFORMATION ON THE APPLICATION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2022,  
21 the Maryland Office of Minority Health and Health Disparities shall, in coordination with  
22 the Maryland Health Care Commission and the Maryland Department of Health, establish,  
23 submit to the General Assembly, in accordance with § 2–1257 of the State Government  
24 Article, and implement a plan for:

25 (1) improving the collection of health data that includes race and ethnicity  
26 information in the State;

27 (2) ensuring that the Office has access to up-to-date health data that  
28 includes race and ethnicity information;

29 (3) to the extent authorized under federal and State privacy laws, posting  
30 health data that includes race and ethnicity information on the Office’s website; and

31 (4) updating the data on the Office’s website at least once every 6 months.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2021.