

Chapter 235

(Senate Bill 416)

AN ACT concerning

Health Officers – Authority to Enter into Contracts or Agreements for Delivery of Health Care Services

FOR the purpose of authorizing a health officer, under certain circumstances, to enter into a contract or other written agreement to assist or participate in the delivery of health care services with a certain person; and generally relating to the powers of health officers.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 3–306
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Article – Health – General

3–306.

(a) Except as provided by agreement between the Secretary and the local governing body, and in addition to the powers and duties set forth elsewhere, each health officer has the powers and duties set forth in this section.

(b) A health officer may obtain samples of food and drugs for analysis.

(c) (1) The health officer for a county is the executive officer and secretary of the county board of health.

(2) Except in Montgomery County, the health officer for a county shall appoint the staff of the county health department.

(3) The health officer for a county shall have an office at an accessible place in the county.

(4) (i) The health officer for a county shall enforce throughout the county:

1. Under the direction of the Secretary, the State health laws and the policies, rules, and regulations that the Secretary adopts; and

2. Except as provided in subparagraph (ii) of this paragraph, under the direction of the county board of health, the rules and regulations that the county board of health adopts.

(ii) The health officer for a county shall enforce in each municipality or special taxing district in the county the rules or regulations that the county board of health adopts unless the municipality or district has a charter provision or ordinance that:

1. Covers the same subject matter as the county rule or regulation;

2. Is at least as restrictive as the county rule or regulation; and

3. Includes provisions for enforcement.

(5) A health officer shall perform any investigation or other duty or function directed by the Secretary or the county board of health and submit appropriate reports to them.

(D) SUBJECT TO THE CONSENT OF THE GOVERNING BODY OF THE COUNTY AND THE WRITTEN APPROVAL OF THE SECRETARY, A HEALTH OFFICER FOR A COUNTY MAY ENTER INTO A CONTRACT OR ANY OTHER WRITTEN AGREEMENT TO ASSIST OR PARTICIPATE IN THE DELIVERY OF HEALTH CARE SERVICES WITH A PERSON THAT IS AUTHORIZED TO PROVIDE, FINANCE, COORDINATE, FACILITATE, OR OTHERWISE DELIVER HEALTH CARE SERVICES IN THE STATE.

[(d)] (E) The Secretary may delegate duties, powers, and functions as provided in this article to a health officer for a county or other county official authorized to administer and enforce health and environmental laws.

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

Approved by the Governor, May 10, 2011.