

MdPHA 2023

Legislative

Wrap-Up



MdPHA
Maryland Public Health Association

Introduction

During this year's legislative session, the Maryland Public Health Association was able to provide testimony on a large collection of public health bills. Our determined representatives and partners made their voices heard on a variety of topics this year, with some notable achievements including establishing a Commission on Public Health, requiring PFAS testing for pesticides used in Maryland food crops, establishing a Greenspace Equity Program and supporting cannabis reform. The following report describes the results of bills that MdPHA provided testimony for in the 2023 legislative session.



Focus Areas

- 1. Public Health Infrastructure**
- 2. Substances Regulation**
- 3. Environmental Health**
- 4. Children and Young Adult Health**

Public Health Infrastructure

Commission on Public Health - Establishment

Establishing the Commission on Public Health to make recommendations to improve the delivery of foundational public health services in the State; requiring the Commission to conduct an assessment of the foundational public health capabilities of the Maryland Department of Health and local health departments; requiring the assessment to explain the impact of foundational public health capabilities on the State's ability to respond to certain major public health challenges in the State; etc.

SB281: Sponsored by Senators Lam, Rosapepe, Augustine, Benson and Salling

HB214: Sponsored by Delegates Kelly, Pena-Melnyk, Aiston, Bagnall, Cullison, Guzzone, Hill, S. Johnson, Kaiser, Kerr, R. Lewis, Lopez, Taveras, White, Woods, Bhandari and Rosenberg

MdPHA Position: Support

Outcome: Passed in House (135-0), Approved by the Governor - Chapter 385

Public Health Infrastructure



Maryland Medical Assistance Program, Maryland Children's Health Program, and Workgroup on Low-Income Utility Assistance

Requiring the Maryland Department of Health to establish an Express Lane Eligibility Program by January 1, 2025, to enroll individuals, based on certain eligibility, in the Maryland Medical Assistance Program and the Maryland Children's Health Program; and requiring the Workgroup on Low-Income Utility Assistance to submit a final report to certain committees of the General Assembly on or before January 1, 2024, of its findings and recommendations, including recommended legislative and regulatory changes.

SB26: Sponsored by Senators Augustine and Hester

HB111: Sponsored by Delegates Charkoudian, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Guzzone, Hill, S.Johnson, Kaiser, Kerr, R. Lewis, Lopez, Martinex, Rosenberg, Taveras, White and Woods

MdPHA Position: Support

Outcome: Passed in House (99-36) and Senate (102-34). Approved by the Governor - Chapter 283

Public Health Infrastructure



Maryland Health Benefit Exchange and Maryland Department of Health - Health Care and Dental Care Coverage for Undocumented Immigrants - Report

Requiring the Maryland Health Benefit Exchange and the Maryland Department of Health to develop a report comparing options for offering affordable health care and dental care coverage to State residents who are ineligible for the Maryland Medical Assistance Program, the Maryland Children's Health Program, qualified health plans, or stand-alone dental plans due to the individuals' immigration status; and requiring the Exchange and the Department to report to certain committees of the General Assembly by October 31, 2023.

SB806: Sponsored by Senators Kelly and Hettleman

HB363: Sponsored by Delegate Cullison

MdPHA Position: Support

Outcome: Passed in both chambers; Approved by the Governor - Chapter 384

Public Health Infrastructure



Maryland Health Benefit Exchange – Small Employers – Special Enrollment Period and Marketing

Requiring the Maryland Health Benefit Exchange to open a special enrollment period for individuals who become employed by a small employer that does not offer employer-sponsored health benefit plans and the individuals' dependents; altering the amount of funds required to be appropriated to the Maryland Health Benefit Fund in certain fiscal years; and requiring certain funds to be allocated for marketing and outreach to small employers and nonprofit employers and their employees to facilitate enrollment in health insurance coverage.

SB59: Sponsored by Senator Hester

HB107: Sponsored by Delegate R. Lewis

MdPHA Position: Support

Outcome: Referral to committee after first reading

Public Health Infrastructure



Health Insurance - Qualified Resident Enrollment Program (Access to Care Act)

Altering the purpose of the Maryland Health Benefit Exchange Fund to include the provision of funding for the establishment and operation of the Qualified Resident Enrollment Program; authorizing the use of federal pass-through funds for certain programs as approved under a certain waiver; requiring the Maryland Health Benefit Exchange to establish and implement the Program to allow qualified residents to obtain coverage and to facilitate the enrollment of qualified residents in qualified plans; etc.

SB365: Sponsored by Senator Lam

HB588: Sponsored by Delegates Cullison, Taveras, Acevero, Alston, Bagnall, Boado, Charkoudian, Charles, Embry, Fair, Foley, Fraser-Hidalgo, Harris, Ivey, Kerr, R. Lewis, Lopez, Mireku-North, Palakovich Carr, Pena-Melnyk, Phillips, Qi, Queen, Ruth, Simpson, Steward, Terrasa, Turner, Vogel, White, Woods, Ziegler, Bhandari, Guzzone, Hill, S. Johnson, Kaiser, Martinez, Rosenberg

MdPHA Position: Support

Outcome: Passed in the House, Referral to committee in Senate

Public Health Infrastructure



Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)

Requiring the Division of Correction to allow a certain pregnant woman and a certain woman who recently gave birth to transfer to the pre release unit for women for a certain time period; establishing the Healthy Start Bonding Program to facilitate strong bonds between incarcerated women and their children; and requiring the Division to allow liberal visitation between certain individuals and certain children under certain circumstances.

SB523: Sponsored by Senator Carter

HB759: Sponsored by Delegates Mireku-North, Bagnall, Cardin, Charkoudian, Crutchfield, Foley, Grossman, Guyton, Henson, Hill, Lehman, Lopez, Palakovich Carr, Ruth, Shetty, Solomon, Vogel, and Wells

MdPHA Position: Support

Outcome: Referred to committee

Public Health Infrastructure



Housing and Community Development - Homeowner's Extreme Weather Mitigation and Preparation Grant Program

Establishing the Homeowner's Extreme Weather Mitigation and Preparation Grant Program in the Department of Housing and Community Development to assist homeowners, local governments, and nonprofit organizations in preparing and repairing residential properties to mitigate water damage caused by extreme weather; limiting a grant awarded to a homeowner to \$5,000 or less; and requiring the Governor to include in the annual budget bill an appropriation of \$5,000,000 for the program beginning in fiscal year 2025.

SB77: Sponsored by Senator Jackson

HB190: Sponsored by Delegate Ivey

MdPHA Position: Support

Outcome: Unfavorable Report by Environment and Transportation

Public Health Infrastructure



Energy Generation Projects - Required Labor Standards

Requiring the developer of a covered project, on the approval of a certificate of public convenience and necessity for the construction of a certain generating station or qualified generator lead line or an exemption from a certain requirement for a certificate of public convenience and necessity, to meet certain labor standards and reporting requirements; establishing certain labor standards and certain certification, reporting, and record-keeping requirements related to the construction of a covered project; etc.

SB170: Sponsored by Senator Feldman

MdPHA Position: Support

Outcome: Referred to committee

Substances Regulation



Cannabis Reform

Renaming the Alcohol and Tobacco Commission to be the Alcohol, Tobacco, and Cannabis Commission; establishing a regulatory and licensing system for adult-use cannabis; imposing the sales and use tax on the sale of adult-use cannabis at certain rates in certain fiscal years; establishing the Cannabis Regulation and Enforcement Division as an independent unit in the Commission; requiring the Division, by July 1, 2023, to convert medical cannabis licenses to licenses to operate a medical and adult-use cannabis business; etc.

SB516: Sponsored by Senators Feldman and Hayes

HB556: Sponsored by Delegates Wilson and Atterbeary

MdPHA Position: Support

Outcome: Passed in both chambers; Approved by the Governor - Chapter 254

Substances Regulation



Carroll County - Alcoholic Beverages Licenses - Residency Requirement

Requiring at least one applicant for an alcoholic beverages license in Carroll County to be a resident of the State, rather than the county, when an application is filed and to remain a resident of the State for the license to remain valid; etc.

SB393: Sponsored by Carroll County Senators

HB558: Sponsored by Carroll County Delegation

MdPHA Position: Oppose

Outcome: Passed in both chambers; Approved by the Governor - Chapter 597

Substances Regulation



Business Regulation - Flavored Tobacco Products - Prohibition

Providing that certain licenses to manufacture, sell, buy, and store cigarettes, other tobacco products, and electronic smoking devices do not authorize the licensee to manufacture, ship, import, or sell into or within the State a flavored tobacco product with a taste or smell of fruit, mint, candy, or other non tobacco flavors; providing that a public statement that cigarettes, other tobacco products, or electronic smoking devices have or produce a certain smell or taste is presumptive evidence that they are flavored tobacco products; etc.

SB259: Sponsored by Senator Lam

MdPHA Position: Support

Outcome: Referred to committee

Substances Regulation



Alcoholic Beverages – Retail Delivery – Alterations and Third-Party Delivery Service Permit

Establishing a delivery service permit that authorizes the holder to deliver alcoholic beverages from a retail license holder authorized to deliver alcoholic beverages to purchasers in the State under certain circumstances; authorizing retail license holders to deliver alcoholic beverages to purchasers in the State through a third-party contractor, an independent contractor, or an agent that holds a delivery service permit under certain circumstances; and establishing certain standards and requirements for the retail delivery of alcoholic beverages.

SB815: Sponsored by Senator A. Washington

HB787: Sponsored by Delegate Atterbeary

MdPHA Position: Oppose

Outcome: (Vote 21-0). Referred to interim study by Economic Matters

Substances Regulation



Alcoholic Beverages - Class A License - Food Retailers

Authorizing a food retailer to offer to purchase a Class A license from a Class A license holder under certain circumstances; and authorizing a food retailer to apply to a local licensing board for a Class A license under certain circumstances.

SB854: Sponsored by Senator McCray

HB938: Sponsored by Delegate Boyce

MdPHA Position: Oppose

Outcome: Referred to committee

Substances Regulation



Drug Manufacturers - Drug Take-Back Programs (Take it Back Maryland Act)

Requiring manufacturers of certain drugs to operate a certain drug take-back program or enter into a certain agreement with a drug take-back organization or the Maryland Department of Health, in conjunction with the Department of the Environment; requiring the Maryland Department of Health, in conjunction with the Department of the Environment, to determine whether a drug take-back program complies with certain requirements and to provide notification of its determination within a certain time period; etc.

SB575: Sponsored by Senator Lewis Young

HB517: Sponsored by Delegate Solomon

MdPHA Position: Support

Outcome: Withdrawn by Sponsor

Substances Regulation



Wicomico County - Alcoholic Beverages - Cigar Lounge License

Establishing a Class B-CL (cigar lounge) beer, wine, and liquor license in Wicomico County; excluding the license from certain distance restrictions; and excluding a certain business that operates in the county under the license from the requirements of the Clean Indoor Air Act.

SB795: Sponsored by Senators Carozza and Mautz

MdPHA Position: Oppose

Outcome: Referred to committee

Environmental Health



Natural Resources - Greenspace Equity Program - Establishment

Establishing the Greenspace Equity Program in the Department of Natural Resources to provide grants to eligible applicants for enhancing the public health and livability of overburdened and underserved communities by implementing projects to preserve, create, and enhance community greenspace; requiring the Department to submit certain grant applications to the Maryland State Clearinghouse for Intergovernmental Assistance; requiring certain grant applications to be subject to approval by the Board of Public Works; etc.

SB923: Sponsored by Senators

HB503: Sponsored by Delegates

MdPHA Position: Support

Outcome: Passed in both chambers; Approved by the Governor - Chapter 487

Environmental Health



Pesticides - PFAS Testing - Study

Requiring the Department of Agriculture, in consultation with certain State and federal agencies, to study the use of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in pesticides in the State; and requiring the Department to report its findings and recommendations to the Governor, the Senate Committee on Education, Energy, and the Environment, and the House Health and Government Operations Committee on or before November 1, 2023.

SB158: Sponsored by Senator Hettleman

HB319: Sponsored by Delegates Stein, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Guzzone, Hill, S. Johnson, Kaiser, Kerr, R. Lewis, Lopez, Martinez, Rosenberg, Szeliga, Taveras, White, and Woods

MdPHA Position: Support

Outcome: Passed in both chambers; Approved by the Governor - Chapter 485

Environmental Health



Environment - Climate Crisis Plan - Requirement

Requiring each county to prepare a climate crisis plan to address the effects of climate change in the county; requiring each county to submit its plan to the Department of the Environment for review and feedback on or before June 1, 2024; requiring the Department to provide feedback to each county on or before November 1, 2024; requiring each county to finalize its plan on or before January 1, 2025; and requiring each county to review and update its plan at least once every 3 years.

SB250: Sponsored by Senator Kramer

HB147: Sponsored by Delegate Fraser-Hidalgo

MdPHA Position: Support

Outcome: Referral to committee after first reading

Environmental Health



Public Utilities - Energy Efficiency and Greenhouse Gas Emissions Reductions - Alterations and Requirements

Altering the goals and requirements of certain energy efficiency programs to include certain greenhouse gas emissions reductions from electric companies and gas companies beginning January 1, 2024; requiring the EmPOWER Maryland Program to provide consumer rebates, and promote the use of certain federal rebates, for certain technologies; requiring the Department of Housing and Community Development and electric utilities to promote fuel switching from gas to electricity; etc.

SB795: Sponsored by Senator Lewis Young

HB904: Sponsored by Delegates Qi, Barve, Embry, Foley, Fraser-Hidalgo, Stewart, Vogel, Watson and Wu

MdPHA Position: Support

Outcome: Referred to committee

Environmental Health



Climate, Labor and Environmental Equity Act of 2023

Requiring the Department of the Environment to conduct a certain evaluation regarding the impact of issuing an approval for certain environmental permits; requiring the Department to provide opportunities for certain communication with certain residents in a certain manner; and altering certain reporting requirements for certain State agencies.

SB743: Sponsored by Senators Jackson and Lewis Young

HB840: Sponsored by Delegate Boyce

MdPHA Position: Support

Outcome: Referred to committee

Children and Young Adult Health



Maryland Health Benefit Exchange - State-Based Young Adult Health Insurance Subsidies Pilot Program - Sunset Extension

Extending the termination date of certain provisions of law that establish and govern the funding for the State-Based Young Adult Health Insurance Subsidies Pilot Program; and requiring the Maryland Health Benefit Exchange, in consultation with the Maryland Insurance Administration, to conduct a study on available federal and State subsidies and report its findings and recommendations to certain committees of the General Assembly on or before December 1, 2024.

SB601: Sponsored by Senators Feldman, Beidle, Ellis, Gile, Griffith, Hates, Hester, Kramer and Lam

HB814: Sponsored by Delegates Kerr, Amprey, Boyve, Charkoudian, Crutchfield, Edelson, Embry, Fair, Forbes, Fraser-Hidalgo, Guzzone, Kaufman, R. Lewis, Moon, Pasteur, Qi, Reznik, Simpson, Toles, Vogel, White, Alston, Bagnall, Bhandari, Cullison, Hill, S. Johnson, Kaiser, Lopez, Martinez, Pena-Melnyk, Rosenberg, Taveras, and Woods

MdPHA Position: Support

Outcome: Passed in both Chambers, Approved by the Governor - Chapter 257

Children and Young Adult Health



Primary and Secondary Education – Breakfast and Lunch Programs – Universal Expansion

Altering the standards of the State Free Feeding Program, beginning in fiscal year 2025, to require that if a school participates in the federal School Breakfast Program or the National School Lunch Program, then each student in the school must be offered a meal at no cost to the student; providing for the reimbursement rate at which the State shall pay county boards and participating nonpublic schools for the meals offered to students; etc.

SB557: Sponsored by Senators Guzzone and Tucker

HB628: Sponsored by Delegates Reznik, Attar, Atterbeary, D. Barnes, Boafo, Cardin, Charkoudian, Crutchfield, Fair, Feldmark, Foley, Forbes, Grossman, Guyton, Healey, Henson, Kaufman, McCaskill, Metzgar, Mireku-North, Palakovich Carr, Pasteur, Queen, Ruth, Shetty, Solomon, Stein, Terrasa, Vogel, Watson, and Wilkins

MdPHA Position: Support

Outcome: Referred to committee

Children and Young Adult Health



Consumer Protection - Online Products and Services - Children's Data

Requiring a business that offers an online product likely to be accessed by children to complete a certain data protection impact assessment under certain circumstances; prohibiting a business from offering a certain online product before completing a data protection impact assessment; requiring businesses to document certain risks associated with certain online products; requiring certain privacy protections for certain online products; prohibiting certain data collection and sharing practices; providing certain exemptions; etc.

SB844: Senators Kramer and West

HB901: Sponsored by Delegates Solomon and Wilson

MdPHA Position: Support

Outcome: Referred to committee

Children and Young Adult Health



Anne Arundel County - School-Age Children Mental Health Support System Pilot Program

Establishing the School-Aged Children Mental Health Support System Pilot Program in Anne Arundel County to help implement the goals and recommendations of the Anne Arundel Mental Health Task Force with focus on providing mental and behavioral health supports to school-age children in Anne Arundel County; and requiring the Anne Arundel County Mental Health Agency to submit a report on the effectiveness of the program to the Anne Arundel County Delegation and the House Ways and Means Committee of the General Assembly by August 1, 2024, and 2025.

HB1107: Sponsored by Delegate Chisholm

MdPHA Position: Support

Outcome: Referred to committee

Interested in joining the MdPHA advocacy committee for the 2024 legislative session?

Email getinfo@mdpha.org to get connected with our team!



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