

**PROTECTED HEALTH CARE COMMISSION SEMIANNUAL REPORT
FINDINGS AND DETERMINATIONS OF THE SECRETARY OF HEALTH**

Maryland Department of Health

October 2024



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

October 21, 2024

Nichole Sweeney, JD
Chair, Protected Health Care Commission
Baltimore, Maryland

The Honorable Pamela Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401

The Honorable Joseline Peña-Melnyk, Chair
Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: Response required by Health-General Article §4-310(g) - Protected Health Care Commission July 2024 Semiannual Report (MSAR # 14911)

Dear Chair Sweeney, Chair Beidle, and Chair Peña-Melnyk:

Pursuant to Health-General Article §4-310(g), the Maryland Department of Health (MDH) submits this response to the Protected Health Care Commission's (the Commission's) semiannual report. The Commission is charged with making recommendations to the Secretary regarding sensitive health services that should be determined to be legally protected health care.

MDH appreciates the Commission's thoughtful review of sensitive health services material such as the proposed COMAR 10.11.08 Abortion Care Disclosure regulations. The Commission's constructive feedback helped guide the revisions of the regulations. MDH also recognizes the critical role of the Commission's collaboration with the Maryland Health Care Commission in assisting MDH to understand how technology vendors are implementing the restrictions for the abortion care codes before proposing new codes.

The establishment of the Commission's subcommittees to explore gender-affirming care and miscarriage management reflects its commitment to thoroughly considering complex issues surrounding sensitive health services. MDH is committed to supporting the Commission's efforts and collaborating with stakeholders to protect sensitive health services. Thank you to the Commission for its dedication and efforts thus far.

If you have any questions about this response, please contact Sarah Case-Herron, Director, Office of Governmental Affairs, at sarah.case-herron@maryland.gov.

Sincerely,



Laura Herrera Scott, MD, MPH
Secretary

cc: Erin McMullen, MPP, MSN, RN, Chief of Staff, Maryland Department of Health
Sarah Case-Herron, JD, Director, Office of Governmental Affairs
Nilesh Kalyanaraman, MD, FACP, Deputy Secretary, Public Health Services
Elizabeth Kromm, PhD, MSc, Director, Prevention and Health Promotion Administration
Shelly Choo, MD, MPH, Director, Maternal and Child Health Bureau