

**Protected Health Care Commission Semiannual Report:
Findings and Determinations of the Secretary of Health**

Health-General Article §4-310(g)

Maryland Department of Health

December 2024



Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

June 30, 2025

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

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

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

Dear Senator Beidle and Delegate Peña-Melnyk:

Pursuant to Health-General Article §4-310(g), I submit this response to the Protected Health Care Commission's (the Commission) 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.

The Commission, established in 2023 by Health-General Article §4-310, is a nine-member body. Since its inception, the Commission has held five meetings, instituted a charter, and selected a chair. Additionally, the Commission reviewed the proposed COMAR 10.11.08 Abortion Care Disclosure regulations and provided helpful feedback regarding the regulations to Maryland Department of Health staff. The regulations were adopted on September 16, 2024.

The Commission created subcommittees to discuss gender-affirming care and miscarriage management as potential services to propose for determination as legally protected health care. The subcommittee work was paused while the Commission learned more about Electronic Health Record/Health Information Exchange (EHR/HIE) implementation plans and potential implications for the inclusion of additional codes. The Maryland Health Care Commission and seven EHR/HIE vendors shared implementation updates at the final Commission meeting of the year on October 22, 2024. The gender affirming care subcommittee presented collected codes

and data to the full Commission on February 27, 2025, and the Commission voted in that meeting to include the codes. At this time, the Secretary has not made a determination that there are new sensitive health services to be legally protected health care.

If you have any questions about this report, please contact Sarah Case-Herron, Director, Office of Governmental Affairs, at 443-826-1851 or sara.case-herron@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Meena Seshamani', with a stylized flourish at the end.

Meena Seshamani, MD, PhD
Secretary of Health

cc: Elizabeth Edsall Kromm, PhD, MSc, Acting Deputy Secretary, Public Health Services
Shelly Choo, MD, MPH, Director, Maternal and Child Health Bureau
Sarah Case-Herron, JD, Director, Office of Governmental Affairs
Sarah Albert, MLIS, Department of Legislative Services (5 copies)