

BY: Health and Government Operations Committee and Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 665

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “requiring the Department of Health and Mental Hygiene to provide guaranteed eligibility for enrollees in managed care organizations in the Medicaid program and in the Maryland Children’s Health Program for a certain time period under certain circumstances;”; in line 10, after “structure;” insert “requiring the Department of Health and Mental Hygiene to allow certain individuals whose family income is at certain levels to reenroll in managed care organizations under the Maryland Children’s Health Program under certain circumstances; requiring the Department to notify enrollees of certain reenrollment provisions; providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; making certain provisions of this Act contingent on the taking effect of another Act;”; in line 14, strike “15-301 and 15-301.1” and substitute “15-103(b)(3), 15-301, 15-301.1, and 15-303(a)”; and after line 16, insert:

“BY repealing and reenacting, with amendments,

Article - Health - General

Section 15-301 and 15-301.1

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)

(As enacted by Section 2 of this Act)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“15-103.

(b) (3) Subject to the limitations of the State budget and as permitted by federal law or waiver, the program developed under paragraph (1) of this subsection and the program developed

(Over)

under § 15-301 of this title [may] SHALL provide guaranteed eligibility for each enrollee for up to 6 months, unless an enrollee obtains health insurance through another source.

15-303.

(a) (1) The Department shall:

(I) [be] BE responsible for enrolling program recipients in managed care organizations under the Maryland Children’s Health Program established under §§ 15-301 and 15-301.1 of this subtitle; AND

(II) ALLOW AN ELIGIBLE INDIVIDUAL WHOSE FAMILY INCOME IS ABOVE 200 PERCENT BUT AT OR BELOW 300 PERCENT OF THE FEDERAL POVERTY GUIDELINES WHO HAS BEEN ENROLLED IN THE MCHP PREMIUM PLAN, TO REENROLL IN THE MCHP PREMIUM PLAN:

1. ON PAYMENT IN FULL OF ANY MONTHLY PREMIUMS OWED FOR PRIOR PERIODS OF COVERAGE UNDER THE PLAN; OR

2. AFTER A 3-MONTH WAITING PERIOD WITHOUT ANY REQUIREMENT TO PAY IN FULL ANY MONTHLY PREMIUMS OWED FOR PRIOR PERIODS OF COVERAGE UNDER THE PLAN.

(2) THE DEPARTMENT SHALL NOTIFY ENROLLEES OF THE REENROLLMENT PROVISIONS DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION.

[(2)] (3) The Department may contract with an entity to perform any part or all of its enrollment responsibilities under paragraph (1) of this subsection.

[(3)] (4) The Department or its enrollment contractor, to the extent feasible in its marketing, outreach, and enrollment programs, shall hire individuals receiving assistance under the Family Investment Program established under Article 88A of the Code.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as

follows:

Article - Health - General".

AMENDMENT NO. 3

On page 2, in line 1, strike "Except as provided in item (3) of this subsection, for" and substitute "FOR".

On page 3, after line 22, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

15-301.

(a) There is a Maryland Children's Health Program.

(b) The Maryland Children's Health Program shall provide, subject to the limitations of the State budget and any other requirements imposed by the State and as permitted by federal law or waiver, comprehensive medical care and other health care services to an individual who has a family income at or below 300 percent of the federal poverty guidelines and who is under the age of 19 years.

(c) The Maryland Children's Health Program shall be administered:

(1) For individuals whose family income is at or below [185] 200 percent of the federal poverty guidelines, through the program under Subtitle 1 of this title requiring individuals to enroll in managed care organizations; and

(2) For eligible individuals whose family income is above [185] 200 percent, but at or below 300 percent of the federal poverty guidelines, through the MCHP premium plan under § 15-301.1 of this subtitle.

(Over)

(d) (1) The Department shall provide eligible individuals and health care providers with an accurate directory or other listing of all available providers:

(i) In written form, made available upon request; and

(ii) On an Internet database.

(2) The Department shall update the Internet database at least every 30 days.

(3) The written directory shall include a conspicuous reference to the Internet database.

15-301.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Eligible individual” means an individual who qualifies to participate in the Maryland Children’s Health Program under § 15-301(b) of this subtitle.

(3) “Family contribution” means the portion of the premium cost paid for an eligible individual to enroll and participate in the Maryland Children’s Health Program.

(4) “MCHP premium plan” means the plan established under this section to provide access to health insurance coverage to eligible individuals through managed care organizations under the Maryland Children's Health Program.

(b) This section applies only to individuals whose family income is above [185] 200 percent, but at or below 300 percent of the federal poverty guidelines.

(c) As a requirement of enrollment and participation in the MCHP premium plan, the parent or guardian of an eligible individual shall pay an annual family contribution that does not exceed 2 percent of the annual family income.

(d) The Department shall have the authority to implement a tiered premium structure

based on family income and family size.

(e) Until the Department establishes a tiered premium structure by regulation, the parent or guardian of an eligible individual shall pay the following annual family contribution:

[(1) For an eligible individual whose family income is above 185 percent, but at or below 200 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 185 percent of the federal poverty guidelines;]

[(2)] (1) For an eligible individual whose family income is above 200 percent, but at or below 250 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 200 percent of the federal poverty guidelines; and

[(3)] (2) For an eligible individual whose family income is above 250 percent, but at or below 300 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 250 percent of the federal poverty guidelines.

(f) The Department shall adopt regulations necessary to implement this section.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2005, contingent on the taking effect of Chapter \_\_\_\_\_ (H.B. 1271) of the Acts of the General Assembly of 2004, and if Chapter \_\_\_\_\_ does not become effective, Section 1 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2005.”;

in line 23, strike “2.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Sections 4 and 5 of this Act.”.