

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 1263

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Donoghue” and substitute “Delegates Donoghue, Benson, Boteler, Boutin, Bromwell, Costa, Elliott, Frank, Hammen, Hubbard, Hurson, Kach, Kullen, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, V. Turner, and Weldon”; in line 2, strike “Grants from Nonprofit Health Service Plans” and substitute “Special Fund”; strike in their entirety lines 4 through 8, inclusive, and substitute “the Maryland Medbank Program Fund; establishing the Maryland Medbank Program Fund; establishing the purposes of the Fund; requiring the Department of Health and Mental Hygiene to administer the Fund; providing that the Fund is a special, nonlapsing fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; providing that the Fund consists of revenue received by the State as a result of the Federal Medicare Drug, Improvement, and Modernization Act of 2003 and certain other money; specifying certain amounts of money to be provided to the Fund in certain years; requiring that investment earnings be paid into the Fund; requiring the Fund to be used only for the operation of the Maryland Medbank Program; providing that, subject to a certain procedure, expenditures from the Fund may only be made in accordance with the State budget; and generally relating to funding for the Maryland Medbank Program and the Maryland Medbank Program Fund.”;

and strike in their entirety lines 14 through 23, inclusive, and substitute:

“BY adding to

Article - Health - General

Section 15-124.3

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)”.

AMENDMENT NO. 2

On page 2, strike lines 16 and 17 in their entirety and substitute:

(Over)

“(II) THE MARYLAND MEDBANK PROGRAM FUND ESTABLISHED UNDER § 15-124.3 OF THIS SUBTITLE.”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 22 on page 3 through line 6 on page 4, inclusive, and substitute:

“15-124.3.

(A) IN THIS SECTION, “FUND” MEANS THE MARYLAND MEDBANK PROGRAM FUND.

(B) THERE IS A MARYLAND MEDBANK PROGRAM FUND.

(C) THE PURPOSE OF THE FUND IS TO SUPPORT THE OPERATION OF THE MARYLAND MEDBANK PROGRAM ESTABLISHED UNDER § 15-124.2 OF THIS SUBTITLE.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) SUBJECT TO SUBSECTION (G) OF THIS SECTION, REVENUE RECEIVED BY THE STATE THAT IS PROVIDED TO EMPLOYERS AS A RESULT OF THE FEDERAL MEDICARE DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003; AND

(2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) NOTWITHSTANDING ANY OTHER PROVISION OF LAW:

(1) FOR FISCAL YEAR 2006, THE AMOUNT PROVIDED TO THE FUND UNDER SUBSECTION (F)(1) OF THIS SECTION SHALL CONSIST OF \$800,000 OF ANY REVENUE RECEIVED IN EXCESS OF \$8.5 MILLION; AND

(2) FOR FISCAL YEAR 2007 AND EACH SUBSEQUENT FISCAL YEAR, THE AMOUNT PROVIDED TO THE FUND UNDER SUBSECTION (F)(1) OF THIS SECTION SHALL CONSIST OF \$1 MILLION.

(H) THE FUND MAY BE USED ONLY FOR THE OPERATION OF THE MARYLAND MEDBANK PROGRAM.

(I) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO THE FUND.

(J) SUBJECT TO THE BUDGET AMENDMENT PROCEDURE PROVIDED FOR IN § 7-209 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”.