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By: **Delegates Hubbard and Rosenberg**  
 Introduced and read first time: February 10, 2005  
 Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program - Institutions for the Treatment of**  
 3 **Mental Disease - Suspension of Benefits**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to  
 5 suspend Maryland Medical Assistance Program benefits for certain individuals  
 6 admitted to an institution for the treatment of mental disease; prohibiting the  
 7 Department from terminating Program benefits for certain individuals based on  
 8 the admission of the individual to an institution for the treatment of mental  
 9 disease; and generally relating to the Maryland Medical Assistance Program  
 10 and Program benefits for individuals in an institution for the treatment of  
 11 mental disease.

12 BY repealing and reenacting, without amendments,  
 13 Article - Health - General  
 14 Section 15-101(a), (h), and (i)  
 15 Annotated Code of Maryland  
 16 (2000 Replacement Volume and 2004 Supplement)

17 BY adding to  
 18 Article - Health - General  
 19 Section 15-109.2  
 20 Annotated Code of Maryland  
 21 (2000 Replacement Volume and 2004 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article - Health - General**

25 15-101.

26 (a) In this title the following words have the meanings indicated.

27 (h) "Program" means the Maryland Medical Assistance Program.

1 (i) "Program recipient" means an individual who receives benefits under the  
2 Program.

3 15-109.2.

4 TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, IF A  
5 PROGRAM RECIPIENT WHO IS AT LEAST 21 YEARS OLD BUT IS UNDER THE AGE OF 65  
6 YEARS IS ADMITTED TO AN INSTITUTION FOR THE TREATMENT OF MENTAL DISEASE,  
7 THE DEPARTMENT:

8 (1) SHALL SUSPEND PROGRAM BENEFITS FOR THAT INDIVIDUAL WHILE  
9 THE INDIVIDUAL IS IN THE INSTITUTION; AND

10 (2) MAY NOT TERMINATE PROGRAM BENEFITS FOR THAT INDIVIDUAL  
11 BASED ON THE ADMISSION OF THE INDIVIDUAL TO THE INSTITUTION.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2005.