

HOUSE BILL 1061

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By: **Delegates Mizeur, Beidle, Benson, Bobo, Bromwell, Costa, Donoghue, Dumais, Elliott, Gutierrez, Hixson, Hubbard, Ivey, Kaiser, N. King, Kipke, Kullen, Nathan-Pulliam, O'Donnell, Olszewski, Pena-Melnyk, Pendergrass, and Tarrant**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Eliminating Barriers to Enrollment Act**

3 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to calculate
4 the income of Maryland Medical Assistance Program recipients in a certain
5 manner; requiring the Maryland Medical Assistance Program and the Maryland
6 Children's Health Program to provide guaranteed eligibility to certain enrollees
7 for a certain time period and to provide presumptive eligibility to enrollees;
8 requiring the Department of Health and Mental Hygiene to provide a certain
9 report to certain committees of the General Assembly on or before a certain
10 date; and generally relating to the Maryland Medical Assistance Program and
11 the Maryland Children's Health Program.

12 BY repealing and reenacting, without amendments,
13 Article – Health – General
14 Section 15–103(a)(1) and (b)(1)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2006 Supplement)

17 BY adding to
18 Article – Health – General
19 Section 15–103(a)(4)
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
 2 Article – Health – General
 3 Section 15–103(b)(3)
 4 Annotated Code of Maryland
 5 (2005 Replacement Volume and 2006 Supplement)

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

8 **Article – Health – General**

9 15–103.

10 (a) (1) The Secretary shall administer the Maryland Medical Assistance
 11 Program.

12 (4) **IN DETERMINING ELIGIBILITY FOR THE PROGRAM, THE**
 13 **DEPARTMENT:**

14 (I) **SHALL CALCULATE THE INCOME OF PROGRAM**
 15 **RECIPIENTS ON AN ANNUAL BASIS; AND**

16 (II) **MAY NOT CALCULATE THE INCOME OF PROGRAM**
 17 **RECIPIENTS ON A PROSPECTIVE BASIS.**

18 (b) (1) As permitted by federal law or waiver, the Secretary may establish
 19 a program under which Program recipients are required to enroll in managed care
 20 organizations.

21 (3) Subject to the limitations of the State budget and as permitted by
 22 federal law or waiver, the program developed under paragraph (1) of this subsection
 23 and the program developed under § 15–301 of this title [may] **SHALL** provide:

24 (I) [guaranteed] **GUARANTEED** eligibility for each enrollee for
 25 up to [6] **12** months, unless an enrollee obtains health insurance through another
 26 source; **AND**

27 (II) **PRESUMPTIVE ELIGIBILITY FOR EACH ENROLLEE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
2 30, 2007, the Department of Health and Mental Hygiene shall report to the Senate
3 Budget and Taxation Committee, the Senate Finance Committee, the House
4 Appropriations Committee, and the House Health and Government Operations
5 Committee, in accordance with § 2-1246 of the State Government Article, on the
6 Department's compliance with the outstationed worker requirements of 42 U.S.C. §
7 1396A(a)55.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2007.