

HOUSE BILL 580

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HB 1406/08 – HGO

By: **Delegates Mizeur, Carr, Carter, Donoghue, Frick, Haynes, Healey, Hecht, Hixson, Kullen, Lafferty, Levy, Manno, Minnick, Murphy, Oaks, Reznik, Riley, Robinson, Shewell, F. Turner, Waldstreicher, ~~and Weldon Weldon, Hammen, Pendergrass, Benson, Bromwell, Costa, Elliott, Hubbard, Kach, Kipke, Krebs, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Tarrant, and V. Turner~~**

Introduced and read first time: February 6, 2009

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2009

CHAPTER _____

1 AN ACT concerning

2 **Foster Kids Coverage Act**

3 FOR the purpose of requiring the Maryland Medical Assistance Program to provide,
4 subject to certain conditions, certain health care services for independent foster
5 care adolescents; defining a certain term; and generally relating to Maryland
6 Medical Assistance Program services for independent foster care adolescents.

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 15–101(a)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2008 Supplement)

12 BY adding to
13 Article – Health – General
14 Section 15–101(d–1)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2008 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Health – General

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 15–103(a)
2 Annotated Code of Maryland
3 (2005 Replacement Volume and 2008 Supplement)

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

6 **Article – Health – General**

7 15–101.

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

9 **(D–1) “INDEPENDENT FOSTER CARE ADOLESCENT” MEANS AN**
10 **INDIVIDUAL:**

11 **(1) WHO IS UNDER 21 YEARS OF AGE; AND**

12 **(2) WHO, ON THE INDIVIDUAL’S 18TH BIRTHDAY, WAS IN FOSTER**
13 **CARE UNDER THE RESPONSIBILITY OF THE STATE.**

14 15–103.

15 (a) (1) The Secretary shall administer the Maryland Medical Assistance
16 Program.

17 (2) The Program:

18 (i) Subject to the limitations of the State budget, shall provide
19 medical and other health care services for indigent individuals or medically indigent
20 individuals or both;

21 (ii) Shall provide, subject to the limitations of the State budget,
22 comprehensive medical and other health care services for all eligible pregnant women
23 whose family income is at or below 250 percent of the poverty level, as permitted by
24 the federal law;

25 (iii) Shall provide, subject to the limitations of the State budget,
26 comprehensive medical and other health care services for all eligible children
27 currently under the age of 1 whose family income falls below 185 percent of the
28 poverty level, as permitted by federal law;

29 (iv) Shall provide, subject to the limitations of the State budget,
30 family planning services to women currently eligible for comprehensive medical care
31 and other health care under item (ii) of this paragraph for 5 years after the second
32 month following the month in which the woman delivers her child;

1 (v) Shall provide, subject to the limitations of the State budget,
2 comprehensive medical and other health care services for all children from the age of 1
3 year up through and including the age of 5 years whose family income falls below 133
4 percent of the poverty level, as permitted by the federal law;

5 (vi) Shall provide, subject to the limitations of the State budget,
6 comprehensive medical care and other health care services for all children who are at
7 least 6 years of age but are under 19 years of age whose family income falls below 100
8 percent of the poverty level, as permitted by federal law;

9 (vii) Shall provide, subject to the limitations of the State budget,
10 comprehensive medical care and other health care services for all legal immigrants
11 who meet Program eligibility standards and who arrived in the United States before
12 August 22, 1996, the effective date of the federal Personal Responsibility and Work
13 Opportunity Reconciliation Act, as permitted by federal law;

14 (viii) Shall provide, subject to the limitations of the State budget
15 and any other requirements imposed by the State, comprehensive medical care and
16 other health care services for all legal immigrant children under the age of 18 years
17 and pregnant women who meet Program eligibility standards and who arrived in the
18 United States on or after August 22, 1996, the effective date of the federal Personal
19 Responsibility and Work Opportunity Reconciliation Act;

20 (ix) Beginning on July 1, 2008, shall provide, subject to the
21 limitations of the State budget, and as permitted by federal law, comprehensive
22 medical care and other health care services for all parents and caretaker relatives:

23 1. Who have a dependent child living in the parents' or
24 caretaker relatives' home; and

25 2. Whose annual household income is at or below 116
26 percent of the poverty level;

27 **(X) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE**
28 **STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, COMPREHENSIVE**
29 **MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR INDEPENDENT**
30 **FOSTER CARE ADOLESCENTS:**

31 **1. WHO ARE NOT OTHERWISE ELIGIBLE FOR**
32 **PROGRAM BENEFITS; AND**

33 **2. WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR**
34 **BELOW 300 PERCENT OF THE POVERTY LEVEL;**

35 **[(x)] (XI) May include bedside nursing care for eligible Program**
36 **recipients; and**

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1 [(xi)] **(XII)** Shall provide services in accordance with funding
2 restrictions included in the annual State budget bill.

3 (3) Subject to restrictions in federal law or waivers, the Department
4 may impose cost-sharing on Program recipients.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.