

SENATE BILL 952

J1

9lr3254
CF HB 739

By: **Senator Middleton**

Introduced and read first time: February 19, 2009

Assigned to: Rules

Re-referred to: Finance, February 26, 2009

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2009

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program - Substance Abuse Services**

3 FOR the purpose of requiring that individuals receiving certain Maryland Medical
4 Assistance Program benefits receive certain substance abuse benefits; requiring
5 the Governor to provide certain funding in certain fiscal years to provide certain
6 substance abuse benefits; requiring managed care organizations to submit
7 certain data to the Department of Health and Mental Hygiene at least
8 semiannually; requiring the Department and certain managed care
9 organizations to establish a certain process and certain criteria to qualify
10 certified addiction treatment programs as paneled providers; authorizing the
11 Governor to transfer by budget amendment in a certain fiscal year certain
12 funding for a certain substance abuse benefit and to increase certain fees;
13 providing that it is the intent of the General Assembly that the Governor is not
14 required to make a certain transfer of funds under certain circumstances;
15 providing for a delayed effective date; and generally relating to the Maryland
16 Medical Assistance Program and substance abuse services.

17 BY repealing and reenacting, without amendments,
18 Article - Health - General
19 Section 15-103(a)(2)(ix) and (b)(1)
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2008 Supplement)

22 BY repealing and reenacting, with amendments,
23 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)(3) and (b)(9)(ii)
2 Annotated Code of Maryland
3 (2005 Replacement Volume and 2008 Supplement)

4 BY adding to
5 Article – Health – General
6 Section 15–103(a)(4)
7 Annotated Code of Maryland
8 (2005 Replacement Volume and 2008 Supplement)

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

11 **Article – Health – General**

12 15–103.

13 (a) (2) The Program:

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

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

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

21 (3) Subject to restrictions in federal law or waivers, the Department
22 may:

23 (i) Impose cost-sharing on Program recipients; and

24 (ii) For adults who do not meet requirements for a federal
25 category of eligibility for Medicaid:

26 1. Cap enrollment; and

27 2. Limit the benefit package, **EXCEPT THAT**
28 **SUBSTANCE ABUSE SERVICES SHALL BE PROVIDED THAT ARE AT LEAST**
29 **EQUIVALENT TO THE SUBSTANCE ABUSE SERVICES PROVIDED TO ADULTS**
30 **UNDER PARAGRAPH (2)(IX) OF THIS SUBSECTION.**

31 (4) **IN FISCAL YEAR 2011 AND EACH FISCAL YEAR THEREAFTER,**
32 **THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING SUFFICIENT**

1 TO PROVIDE THE SUBSTANCE ABUSE BENEFITS REQUIRED UNDER PARAGRAPH
2 (3)(II)2 OF THIS SUBSECTION.

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

6 (9) Each managed care organization shall:

7 (ii) Submit to the Department:

8 1. Service-specific data by service type in a format to be
9 established by the Department; [and]

10 2. Utilization and outcome reports, such as the Health
11 Plan Employer Data and Information Set (HEDIS), as directed by the Department;
12 AND

13 3. AT LEAST SEMIANNUALLY, AGGREGATE DATA
14 THAT INCLUDES:

15 A. THE NUMBER OF ENROLLEES PROVIDED WITH
16 SUBSTANCE ABUSE TREATMENT SERVICES; AND

17 B. THE AMOUNT OF MONEY SPENT ON SUBSTANCE
18 ABUSE TREATMENT;

19 SECTION 2. AND BE IT FURTHER ENACTED, That in fiscal year 2010, the
20 Governor may transfer by budget amendment ~~\$6,700,000~~ \$3,343,418 in general or
21 special funds from the Alcohol and Drug Abuse Administration (Program M00K02.01)
22 to the Medical Care Programs Administration (Program M00Q01.03) to fund the
23 substance abuse benefit provided under § 15-103(a)(3) of the Health – General Article,
24 as enacted by Section 1 of this Act, and to increase the rates paid to providers for
25 substance abuse services provided through the Primary Adult Care Program and the
26 Maryland Medical Assistance Program.

27 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
28 General Assembly, that if the Governor funds comprehensive medical care and other
29 health care services for adults as required under § 15-103(a)(2)(x) of the Health –
30 General Article through the Medical Care Programs Administration and includes
31 substance abuse services, the Governor is not required to transfer funds from the
32 Alcohol and Drug Abuse Administration as required under Section 2 of this Act.

33 SECTION 4. AND BE IT FURTHER ENACTED, That the Department of
34 Health and Mental Hygiene shall collaborate with the managed care organizations
35 that are participating in the Medical Assistance Program to establish a transparent

SENATE BILL 952

1 process and objective criteria to qualify certified addiction treatment programs as
2 paneled providers.

3 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect ~~June 1, 2009~~ January 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.