

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 32 (Delegates Rosenberg and Hubbard)
Health and Government Operations

Medical Treatment - Homeless, Abandoned, and Runaway Youth

This bill affords a minor the same capacity as an adult to consent to medical treatment if the minor is homeless, abandoned, or a runaway; is at least 12 years old; and is certified as homeless, abandoned, or a runaway by an employee of a homeless shelter or by a health care provider or social worker who is not providing medical treatment to the minor.

Fiscal Summary

State Effect: The bill has no measurable impact on State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A minor is afforded by law the same capacity as an adult to consent to medical treatment if he or she is married or is the parent of a child. In addition, a minor has the same capacity as an adult to consent to medical treatment if, in the judgment of the attending physician, the life or health of the minor would be adversely affected by delaying treatment to obtain the consent of another individual. Any minor has the same capacity as an adult to consent to specified types of medical treatment (*e.g.*, drug abuse or alcoholism treatment) and to certain types of psychological treatment under specified circumstances.

Medicaid and the Maryland Children's Health Program (MCHP): Medicaid provides health care coverage to children, pregnant women, elderly or disabled individuals, and indigent parents who pass certain income and asset tests. Eligibility for MCHP currently extends to individuals younger than age 19 with family incomes up to 300% of the federal poverty guidelines (FPG). Children in families with incomes above 200% but at or below 300% FPG are enrolled in the MCHP Premium Plan.

Background: There is no data available on the number of homeless youth in the State. However, in January 2009, the Center for Adolescent Health at The Johns Hopkins Bloomberg School of Public Health and the Baltimore Homeless Youth Initiative conducted a count of homeless youth in Baltimore City. The groups identified 781 young people ages 10 to 24 in Baltimore City who were homeless or unstably housed. Of these, 426 were unaccompanied by parents or guardians.

Many homeless, abandoned, and runaway youth are likely eligible for or currently receiving services through MCHP. The Department of Health and Mental Hygiene advises that, if a minor without a legal guardian wishes to receive MCHP services, another adult (*e.g.*, a shelter manager) can sign for the minor so that he or she can receive necessary medical services through the program.

Additional Information

Prior Introductions: HB 742 of 2010 received an unfavorable report from the House Health and Government Operations Committee.

Cross File: None.

Information Source(s): Department of Human Resources, Department of Health and Mental Hygiene, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - January 26, 2011
ncs/mwc

Analysis by: Jennifer A. Ellick

Direct Inquiries to:
(410) 946-5510
(301) 970-5510