

# HOUSE BILL 1151

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By: **Delegate A. Kelly**

Introduced and read first time: February 10, 2012

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Waiver for Children with Autism**  
3 **Spectrum Disorder – Military Families**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene and the  
5 State Department of Education to develop a process through which children  
6 receiving services through the Home– and Community–Based Services Waiver  
7 for Children with Autism Spectrum Disorder who lose eligibility for waiver  
8 services due to certain circumstances are able to resume the receipt of waiver  
9 services under certain circumstances; requiring the Department of Health and  
10 Mental Hygiene and the State Department of Education to adopt certain  
11 regulations; and generally relating to eligibility for the Home– and  
12 Community–Based Services Waiver for Children with Autism Spectrum  
13 Disorder.

14 BY adding to  
15 Article – Health – General  
16 Section 15–147  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume and 2011 Supplement)

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

21 **Article – Health – General**

22 **15–147.**

23 **(A) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION**  
24 **SHALL DEVELOP A PROCESS THROUGH WHICH CHILDREN RECEIVING SERVICES**  
25 **THROUGH THE HOME– AND COMMUNITY–BASED SERVICES WAIVER FOR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CHILDREN WITH AUTISM SPECTRUM DISORDER WHOSE ELIGIBILITY FOR THE  
2 WAIVER IS DISCONTINUED DUE TO THE FAMILY'S RELOCATION OUT OF THE  
3 STATE FOR MILITARY SERVICE ARE ABLE TO RESUME RECEIVING SERVICES  
4 THROUGH THE WAIVER IMMEDIATELY IF THE FAMILY RETURNS TO THE STATE  
5 TO RESIDE AFTER THE RELOCATION.

6 (B) THE DEPARTMENT AND THE MARYLAND STATE DEPARTMENT OF  
7 EDUCATION SHALL ADOPT REGULATIONS TO IMPLEMENT SUBSECTION (A) OF  
8 THIS SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2012.