

Chapter 364

(Senate Bill 563)

AN ACT concerning

Developmental Disabilities Administration and Maryland Medical Assistance Program – Services – Military Families

FOR the purpose of providing that certain dependents who are determined eligible to receive services from the Developmental Disabilities Administration shall retain eligibility for the services under certain circumstances; requiring the Administration to allow certain dependents to remain on a certain waiting list under certain circumstances; requiring the Administration to ~~resume~~ reinstate certain services for certain dependents under certain circumstances; providing that certain dependents who are determined eligible to receive certain services from the Maryland Medical Assistance Program shall retain eligibility for the services under certain circumstances; requiring the Department of Health and Mental Hygiene to allow certain dependents to remain on a certain waiting list under certain circumstances; requiring the Department to ~~resume~~ reinstate certain services for certain dependents under certain circumstances; defining a certain term; and generally relating to the eligibility for and receipt of Developmental Disabilities Administration and Maryland Medical Assistance Program services by dependents of military service members.

BY adding to

Article – Health – General
 Section 7–404.1 and 15–134.1
 Annotated Code of Maryland
 (2009 Replacement Volume and 2014 Supplement)

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

Article – Health – General**7–404.1.**

(A) IN THIS SECTION, “LEGAL RESIDENT” MEANS AN INDIVIDUAL WHO MAINTAINS THE STATE AS THE INDIVIDUAL’S PRINCIPAL ESTABLISHMENT, HOME OF RECORD, OR PERMANENT HOME AND TO WHERE, WHENEVER ABSENT DUE TO MILITARY OBLIGATION, THE INDIVIDUAL INTENDS TO RETURN.

(B) A DEPENDENT OF A LEGAL RESIDENT OF THE STATE WHO IS DETERMINED ELIGIBLE TO RECEIVE SERVICES FROM THE ADMINISTRATION UNDER THIS TITLE SHALL RETAIN ELIGIBILITY FOR THE SERVICES:

(1) REGARDLESS OF WHETHER THE LEGAL RESIDENT LEAVES THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE; AND

(2) IF THE DEPENDENT IS OTHERWISE ELIGIBLE FOR THE SERVICES.

(C) IF A DEPENDENT OF A LEGAL RESIDENT IS ON A WAITING LIST FOR SERVICES TO BE PROVIDED UNDER THIS TITLE, THE ADMINISTRATION SHALL ALLOW THE DEPENDENT TO REMAIN ON THE WAITING LIST FOR SERVICES WHILE THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE.

(D) THE ADMINISTRATION SHALL ~~RESUME~~ REINSTATE SERVICES PROVIDED UNDER THIS TITLE TO A DEPENDENT OF A LEGAL RESIDENT WHO RESIDES WITH THE LEGAL RESIDENT WHILE THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE:

(1) ON THE RELOCATION OF THE DEPENDENT TO THE STATE; AND

(2) IF A REQUEST FOR SERVICES IS MADE.

15-134.1.

(A) IN THIS SECTION, "LEGAL RESIDENT" MEANS AN INDIVIDUAL WHO MAINTAINS THE STATE AS THE INDIVIDUAL'S PRINCIPAL ESTABLISHMENT, HOME OF RECORD, OR PERMANENT HOME AND TO WHERE, WHENEVER ABSENT DUE TO MILITARY OBLIGATION, THE INDIVIDUAL INTENDS TO RETURN.

(B) A DEPENDENT OF A LEGAL RESIDENT OF THE STATE WHO IS DETERMINED ELIGIBLE TO RECEIVE HOME- AND COMMUNITY-BASED WAIVER SERVICES OR OTHER WAIVER SERVICES FROM THE DEPARTMENT UNDER THIS TITLE SHALL RETAIN ELIGIBILITY FOR THE SERVICES:

(1) REGARDLESS OF WHETHER THE LEGAL RESIDENT LEAVES THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE; AND

(2) IF THE DEPENDENT IS OTHERWISE ELIGIBLE FOR THE SERVICES.

(C) IF A DEPENDENT OF A LEGAL RESIDENT IS ON A WAITING LIST FOR HOME- AND COMMUNITY-BASED WAIVER SERVICES OR OTHER WAIVER SERVICES TO BE PROVIDED UNDER THIS TITLE, THE DEPARTMENT SHALL ALLOW THE

DEPENDENT TO REMAIN ON THE WAITING LIST FOR SERVICES WHILE THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE.

(D) THE DEPARTMENT SHALL ~~RESUME~~ REINSTATE SERVICES PROVIDED UNDER THIS TITLE TO A DEPENDENT WHO RESIDES WITH THE LEGAL RESIDENT WHILE THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE:

- (1) ON THE RELOCATION OF THE DEPENDENT TO THE STATE; AND**
- (2) IF A REQUEST FOR SERVICES IS MADE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.