

SENATE BILL 563

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By: **Senators Peters, Astle, Cassilly, DeGrange, Klausmeier, and Mathias**
Introduced and read first time: February 6, 2015
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of providing that certain dependents who are determined eligible to
5 receive services from the Developmental Disabilities Administration shall retain
6 eligibility for the services under certain circumstances; requiring the Administration
7 to allow certain dependents to remain on a certain waiting list under certain
8 circumstances; requiring the Administration to resume certain services for certain
9 dependents under certain circumstances; providing that certain dependents who are
10 determined eligible to receive certain services from the Maryland Medical Assistance
11 Program shall retain eligibility for the services under certain circumstances;
12 requiring the Department of Health and Mental Hygiene to allow certain dependents
13 to remain on a certain waiting list under certain circumstances; requiring the
14 Department to resume certain services for certain dependents under certain
15 circumstances; defining a certain term; and generally relating to the eligibility for
16 and receipt of Developmental Disabilities Administration and Maryland Medical
17 Assistance Program services by dependents of military service members.

18 BY adding to

19 Article – Health – General
20 Section 7–404.1 and 15–134.1
21 Annotated Code of Maryland
22 (2009 Replacement Volume and 2014 Supplement)

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

25 **Article – Health – General**

26 **7–404.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

22 (2) IF A REQUEST FOR SERVICES IS MADE.

23 15-134.1.

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

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

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

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

5 **(C) IF A DEPENDENT OF A LEGAL RESIDENT IS ON A WAITING LIST FOR**
6 **HOME- AND COMMUNITY-BASED WAIVER SERVICES OR OTHER WAIVER SERVICES TO**
7 **BE PROVIDED UNDER THIS TITLE, THE DEPARTMENT SHALL ALLOW THE**
8 **DEPENDENT TO REMAIN ON THE WAITING LIST FOR SERVICES WHILE THE LEGAL**
9 **RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY**
10 **ASSIGNMENT OUTSIDE THE STATE.**

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

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

16 **(2) IF A REQUEST FOR SERVICES IS MADE.**

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