

# HOUSE BILL 1181

J1, J3

6lr2371  
CF SB 939

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By: ~~Delegates Morgan, Cullison, Hammen, Kipke, McMillan, and Pena-Melnyk~~  
Pena-Melnyk, Angel, Barron, Bromwell, Hayes, Hill, Kelly, Krebs,  
McDonough, Miele, Morhaim, Oaks, Pendergrass, Rose, Saab,  
Sample-Hughes, West, and K. Young

Introduced and read first time: February 12, 2016

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Nursing Homes – ~~Advance Payments~~**  
3 **Partial Payment for Services Provided**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to make a  
5 certain advance payment to a nursing home at the request of the nursing home under  
6 certain circumstances; providing that the advance payment may not exceed a certain  
7 amount; requiring the Department to pay the balance due to a nursing home under  
8 certain circumstances; requiring the Department to recover certain advance  
9 payments in a certain manner under certain circumstances; defining a certain term;  
10 and generally relating to the Maryland Medical Assistance Program and advance  
11 payments to nursing homes.

12 BY repealing and reenacting, without amendments,

13 Article – Health – General  
14 Section 15–101(a) and (h)  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume)

17 BY adding to

18 Article – Health – General  
19 Section 15–148  
20 Annotated Code of Maryland

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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.



(2015 Replacement Volume)

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

**Article – Health – General**

15–101.

(a) In this title the following words have the meanings indicated.

(h) “Program” means the Maryland Medical Assistance Program.

15–148.

**(A) IN THIS SECTION, “NURSING HOME” HAS THE MEANING STATED IN §  
19–1401 OF THIS ARTICLE.**

**(B) AT THE REQUEST OF A NURSING HOME, THE DEPARTMENT SHALL MAKE  
AN ADVANCE PAYMENT TO THE NURSING HOME FOR UNCOMPENSATED PROGRAM  
SERVICES PROVIDED TO A RESIDENT OF THE NURSING HOME WHO HAS FILED AN  
APPLICATION FOR PROGRAM SERVICES IF THE ELIGIBILITY OF THE RESIDENT FOR  
PROGRAM SERVICES HAS NOT BEEN DETERMINED WITHIN 90 DAYS AFTER THE  
APPLICATION WAS FILED.**

**(C) AN ADVANCE PAYMENT PROVIDED UNDER SUBSECTION (B) OF THIS  
SECTION MAY NOT EXCEED 50% OF THE ESTIMATED AMOUNT DUE FOR THE  
UNCOMPENSATED SERVICES.**

**(D) (1) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND  
AN APPLICATION FOR PROGRAM SERVICES IS GRANTED, THE DEPARTMENT SHALL  
PAY THE BALANCE DUE TO THE NURSING HOME.**

**(2) IF AN ADVANCE PAYMENT IS PROVIDED TO A NURSING HOME AND  
AN APPLICATION FOR PROGRAM SERVICES IS DENIED, THE DEPARTMENT SHALL  
RECOVER ANY ADVANCE PAYMENTS MADE ON BEHALF OF THE APPLICANT BY  
REDUCING PAYMENTS DUE TO THE NURSING HOME.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
1, 2016.