

Chapter 446

(House Bill 1280)

AN ACT concerning

**Maryland Medical Assistance Program Department of Health – Rare and Expensive Case Management Program Enrollees in the Employed Individuals with Disabilities Program – Waiver Amendment Demonstration Program**

FOR the purpose of requiring the Maryland Department of Health to ~~apply to the Centers for Medicare and Medicaid Services for an amendment to the Rare and Expensive Case Management Program under a certain waiver; requiring the application to authorize enrollment in the Program for certain individuals; and generally relating to the Rare and Expensive Case Management Program~~ establish a demonstration program supported by certain funds to cover certain health care services that are provided to certain individuals and not covered under the Maryland Medical Assistance Program; authorizing the Department to establish certain eligibility criteria for and a certain cap on enrollment in the demonstration program; authorizing the Department to establish certain criteria for administration of and services covered by the demonstration program; requiring the Department to submit a certain report to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the establishment of a demonstration program for individuals enrolled in the Employed Individuals with Disabilities Program.

~~BY adding to~~  
~~Article Health General~~  
~~Section 15-140~~  
~~Annotated Code of Maryland~~  
~~(2015 Replacement Volume and 2017 Supplement)~~

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

~~Article Health General~~

~~15-140.~~

~~(A) THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR AN AMENDMENT TO THE RARE AND EXPENSIVE CASE MANAGEMENT PROGRAM UNDER THE STATE’S 1115 HEALTHCHOICE DEMONSTRATION WAIVER.~~

~~(B) THE APPLICATION FOR THE AMENDMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL AUTHORIZE ENROLLMENT IN THE RARE~~

~~AND EXPENSIVE CASE MANAGEMENT PROGRAM FOR INDIVIDUALS AT LEAST 21 YEARS OLD AND UNDER THE AGE OF 65 YEARS WHO HAVE A QUALIFYING RARE AND EXPENSIVE CASE MANAGEMENT DIAGNOSIS, BUT WHO ARE INELIGIBLE FOR THE RARE AND EXPENSIVE CASE MANAGEMENT PROGRAM DUE TO ENROLLMENT IN THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM OR ELIGIBILITY FOR THE MEDICAL ASSISTANCE PROGRAM THROUGH SPENDDOWN.~~

(a) The Maryland Department of Health shall establish a demonstration program supported by State general funds to cover health care services that are:

(1) provided to individuals who:

(i) are at least 21 years old and under the age of 65 years;

(ii) are enrolled in the Employed Individuals with Disabilities Program operated under the Maryland Medical Assistance Program; and

(iii) have a qualifying condition as determined by the Secretary of Health; and

(2) not covered under the Maryland Medical Assistance Program.

(b) The Department may establish:

(1) eligibility criteria for enrollment in the demonstration program;

(2) criteria for services to be covered under the demonstration program;

(3) a cap on the number of individuals enrolled in the demonstration program; and

(4) criteria for administration of the demonstration program.

(c) (1) On or before December 1, 2020, the Department shall submit to the Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee a report on the demonstration program established under this section.

(2) The report required under paragraph (1) of this subsection shall include the findings and recommendations of the Department relating to the demonstration program, including:

(i) the number and characteristics of individuals enrolled in the demonstration program;

(ii) the health care services covered under the demonstration program;

(iii) the impact of the demonstration program on individuals enrolled in the demonstration program; and

(iv) whether to extend the demonstration program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2018. It shall remain effective for a period of 3 years and, at the end of May 31, 2021, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

**Approved by the Governor, May 8, 2018.**