J18lr2785

By: Delegate Reznik

AN ACT concerning

Introduced and read first time: February 2, 2018 Assigned to: Health and Government Operations

A BILL ENTITLED

2 3	Medicaid and the Maryland Children's Health Program – Home and Community–Based Providers – Funding
4 5	FOR the purpose of requiring that the Governor's proposed budget for a certain fiscal year, and for each fiscal year thereafter, include a certain rate increase for certain home
6	and community-based providers over the funding provided in a certain legislative
7	appropriation; defining a certain term; and generally relating to home and
8	community-based services and supports under the Maryland Medical Assistance
9	Program and the Maryland Children's Health Program.
10	BY adding to
11	Article – Health – General

- Section 15–1101 and 15–1102 to be under the new subtitle "Subtitle 11. Funding for 12
- Home and Community-Based Providers" 13
- Annotated Code of Maryland 14
- (2015 Replacement Volume and 2017 Supplement) 15
- 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 17 That the Laws of Maryland read as follows:
- Article Health General 18
- SUBTITLE 11. FUNDING FOR HOME AND COMMUNITY-BASED PROVIDERS. 19
- 15-1101. 20
- 21IN THIS SUBTITLE, "HOME AND COMMUNITY-BASED PROVIDER" MEANS
- A PROVIDER OF SERVICES TO PROGRAM OR MARYLAND CHILDREN'S HEALTH 22
- 23 PROGRAM RECIPIENTS UNDER:

 $\begin{array}{c} 21 \\ 22 \end{array}$

1, 2018.

HOUSE BILL 851

COMMUNITY-BASED SERVICES OR SUPPORTS. (B) "HOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDE OF: (1) MEDICAL DAY CARE SERVICES; AND (2) PRIVATE DUTY NURSING SERVICES. 15–1102. THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND FOR EACH PROVIDED SERVICES.	1	(1) THE MEDICAL DAY CARE SERVICES WAIVER;	
4 (4) THE BRAIN INJURY WAIVER; 5 (5) THE COMMUNITY FIRST CHOICE PROGRAM; 6 (6) THE COMMUNITY PERSONAL ASSISTANCE PROGRAM; 7 (7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM; 8 (8) THE PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY; OR 9 (9) ANY OTHER PROGRAM THAT PROVIDES HOME OF COMMUNITY-BASED SERVICES OR SUPPORTS. 11 (B) "HOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDED OF: 12 (1) MEDICAL DAY CARE SERVICES; AND 14 (2) PRIVATE DUTY NURSING SERVICES. 15 15-1102. 16 THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH OF FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR	2	(2) THE HOME AND COMMUNITY-BASED OPTIONS WAIVER;	
(5) THE COMMUNITY FIRST CHOICE PROGRAM; (6) THE COMMUNITY PERSONAL ASSISTANCE PROGRAM; (7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM; (8) THE PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY; OF COMMUNITY-BASED SERVICES OR SUPPORTS. (9) ANY OTHER PROGRAM THAT PROVIDES HOME OF COMMUNITY-BASED SERVICES OR SUPPORTS. (1) WHOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDE OF: (1) MEDICAL DAY CARE SERVICES; AND (2) PRIVATE DUTY NURSING SERVICES. 15-1102. THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR	3	(3) THE MODEL WAIVER FOR MEDICALLY FRAGILE CHILDREN	·;
(6) THE COMMUNITY PERSONAL ASSISTANCE PROGRAM; (7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM; (8) THE PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY; COMMUNITY-BASED SERVICES OR SUPPORTS. (B) "HOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDED OF: (1) MEDICAL DAY CARE SERVICES; AND (2) PRIVATE DUTY NURSING SERVICES. THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR 1920.	4	(4) THE BRAIN INJURY WAIVER;	
(7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM; (8) THE PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY; OF STATE OF SERVICES OR SUPPORTS. (9) ANY OTHER PROGRAM THAT PROVIDES HOME OF COMMUNITY-BASED SERVICES OR SUPPORTS. (1) WHOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDE OF: (1) MEDICAL DAY CARE SERVICES; AND (2) PRIVATE DUTY NURSING SERVICES. THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR	5	(5) THE COMMUNITY FIRST CHOICE PROGRAM;	
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9 (9) ANY OTHER PROGRAM THAT PROVIDES HOME OF COMMUNITY-BASED SERVICES OR SUPPORTS. (B) "HOME AND COMMUNITY-BASED PROVIDER" INCLUDES A PROVIDE OF: (1) MEDICAL DAY CARE SERVICES; AND (2) PRIVATE DUTY NURSING SERVICES. 15-1102. THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR	7	(7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRA	М;
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17 FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AN 18 COMMUNITY-BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE 19 LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR	15	15–1102.	
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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July