

HOUSE BILL 1113

J1, O3
HB 1497/14 – HGO

8lr2761

By: **Delegates McMillan and Miele**

Introduced and read first time: February 7, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Services for Children With**
3 **Prader–Willi Syndrome**

4 FOR the purpose of requiring the Maryland Department of Health to apply to the Centers
5 for Medicare and Medicaid Services for a certain waiver in order to receive federal
6 matching funds for certain services to certain children with Prader–Willi syndrome;
7 and generally relating to the Maryland Medical Assistance Program and a waiver
8 for services for children with Prader–Willi syndrome.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 15–130
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2017 Supplement)

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

16 **Article – Health – General**

17 15–130.

18 (a) In this section, “seriously emotionally disturbed” means a condition that is:

19 (1) Manifest in an individual younger than 18 years or, if the individual is
20 in a residential treatment center, younger than 21 years;

21 (2) Diagnosed according to the current diagnostic classification system that
22 is recognized by the Secretary; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Characterized by a functional impairment that substantially interferes
2 with or limits the child's role or functioning in the family, school, or community activities.

3 (b) (1) The Department shall apply to the Health Care Financing
4 Administration of the federal Department of Health and Human Services for a
5 home- and community-based services waiver under § 1915(c) of the federal Social Security
6 Act in order to receive federal matching funds for services to seriously emotionally
7 disturbed individuals who would otherwise require institutionalization in a residential
8 treatment center.

9 (2) The Department shall apply to the Health Care Financing
10 Administration of the federal Department of Health and Human Services for a
11 home- and community-based services waiver under § 1915(c) of the federal Social Security
12 Act in order to receive federal matching funds for services to autistic children aged 1
13 through 21 years who would otherwise require institutionalization in an institution for the
14 developmentally disabled.

15 **(3) THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR**
16 **MEDICARE AND MEDICAID SERVICES FOR A HOME- AND COMMUNITY-BASED**
17 **SERVICES WAIVER UNDER § 1915(C) OF THE FEDERAL SOCIAL SECURITY ACT IN**
18 **ORDER TO RECEIVE FEDERAL MATCHING FUNDS FOR SERVICES TO CHILDREN WITH**
19 **PRADER-WILLI SYNDROME WHO ARE UNDER THE AGE OF 22 YEARS AND WHO MEET**
20 **AN INSTITUTIONAL CARE FACILITY FOR THE DEVELOPMENTALLY DISABLED, A**
21 **HOSPITAL, OR A NURSING HOME LEVEL OF CARE.**

22 (c) In accordance with subsection (b)(1) [and], (2), AND **(3)** of this section, the
23 services to be provided for seriously emotionally disturbed individuals [or], autistic
24 children, **OR CHILDREN WITH PRADER-WILLI SYNDROME** may include, but are not
25 limited to:

- 26 (1) Respite services;
- 27 (2) Family training and education;
- 28 (3) Day treatment services;
- 29 (4) Therapeutic integration services;
- 30 (5) Intensive individual support services;
- 31 (6) Therapeutic living services;
- 32 (7) Intensive in-home intervention services; and
- 33 (8) Specialized case management services.

1 (d) The State matching funds required to cover the Medicaid costs under the
2 waiver for autistic children shall be certified or otherwise provided by the Maryland State
3 Department of Education, local school systems, and local lead agencies.

4 (e) The State matching funds required to cover the Medicaid costs under the
5 waiver for seriously emotionally disturbed individuals shall be certified or otherwise
6 provided by the Maryland State Department of Education, local school systems, local lead
7 agencies, and the Behavioral Health Administration.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2018.