

# SENATE BILL 460

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By: **Senator Augustine**

Introduced and read first time: January 27, 2022

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Health Access Program for Mental Health and Addiction Care –**  
3 **Establishment**

4 FOR the purpose of establishing the Consumer Health Access Program for Mental Health  
5 and Addiction Care to assist State residents in accessing mental health and  
6 substance use disorder services under public and private health insurance and  
7 address insurance-related barriers to mental health and substance use disorder  
8 services; establishing certain requirements on the Program relating to consumer  
9 medical records and other information; establishing the Consumer Health Access  
10 Program for Mental Health and Addiction Care Fund as a special, nonlapsing fund;  
11 requiring interest earnings of the Fund to be credited to the Fund; and generally  
12 relating to the Consumer Health Access Program for Mental Health and Addiction  
13 Care.

14 BY adding to

15 Article – Health – General  
16 Section 13–4401 through 13–4409 to be under the new subtitle “Subtitle 44.  
17 Consumer Health Access Program for Mental Health and Addiction Care”  
18 Annotated Code of Maryland  
19 (2019 Replacement Volume and 2021 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – State Finance and Procurement  
22 Section 6–226(a)(2)(i)  
23 Annotated Code of Maryland  
24 (2021 Replacement Volume)

25 BY repealing and reenacting, with amendments,

26 Article – State Finance and Procurement  
27 Section 6–226(a)(2)(ii)144. and 145.  
28 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2021 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)146.

Annotated Code of Maryland

(2021 Replacement Volume)

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

**Article – Health – General**

**SUBTITLE 44. CONSUMER HEALTH ACCESS PROGRAM FOR MENTAL HEALTH AND  
ADDICTION CARE.**

**13–4401.**

**(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
INDICATED.**

**(B) “CONNECTOR ENTITY REGIONS” MEANS THE EIGHT GEOGRAPHICAL  
REGIONS IN MARYLAND THAT HAVE BEEN DESIGNATED BY THE MARYLAND HEALTH  
BENEFIT EXCHANGE FOR PURPOSES OF INSURANCE–RELATED OUTREACH,  
EDUCATION, AND ENROLLMENT UNDER THE PATIENT PROTECTION AND  
AFFORDABLE CARE ACT.**

**(C) “FUND” MEANS THE CONSUMER HEALTH ACCESS PROGRAM FOR  
MENTAL HEALTH AND ADDICTION CARE FUND.**

**(D) “HEALTH PLAN” MEANS HEALTH INSURANCE COVERAGE FOR MENTAL  
HEALTH AND SUBSTANCE USE DISORDER BENEFITS OFFERED BY ANY PAYER OF  
HEALTH CARE SERVICES, INCLUDING STATE–REGULATED INDIVIDUAL AND GROUP  
PLANS, FULLY INSURED AND SELF–INSURED EMPLOYER–SPONSORED PLANS, THE  
STATE EMPLOYEE HEALTH AND WELFARE BENEFITS PROGRAM, THE MARYLAND  
MEDICAL ASSISTANCE PROGRAM, THE MARYLAND CHILDREN’S HEALTH  
PROGRAM, MEDICARE, TRICARE, AND VETERANS ADMINISTRATION HEALTH  
BENEFITS.**

**(E) “HUB ENTITY” MEANS THE PRIVATE, COMMUNITY–BASED, NONPROFIT  
CORPORATION OR ORGANIZATION WITH OFFICES LOCATED IN THE STATE OR A  
PUBLIC UNIVERSITY IN THE STATE SELECTED BY THE INCUBATOR ENTITY AND  
RESPONSIBLE FOR OPERATING THE PROGRAM.**

1 (F) "INCUBATOR ENTITY" MEANS THE UNIVERSITY OF MARYLAND  
2 BALTIMORE SCHOOL OF SOCIAL WORK CENTER FOR ADDICTION RESEARCH,  
3 EDUCATION, AND SERVICES.

4 (G) "MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT" OR "PARITY  
5 ACT" MEANS THE PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH  
6 PARITY AND ADDICTION EQUITY ACT OF 2008 AND IMPLEMENTING REGULATIONS  
7 45 C.F.R. § 146.136 AND 29 C.F.R. § 2590.712.

8 (H) "PROGRAM" MEANS THE CONSUMER HEALTH ACCESS PROGRAM FOR  
9 MENTAL HEALTH AND ADDICTION CARE.

10 (I) "PROVIDER" MEANS:

11 (1) A LICENSED OR CERTIFIED PRACTITIONER WHOSE SCOPE OF  
12 PRACTICE INCLUDES THE PROVISION OF MENTAL HEALTH OR SUBSTANCE USE  
13 DISORDER TREATMENT;

14 (2) A FACILITY LICENSED TO PROVIDE MENTAL HEALTH OR  
15 SUBSTANCE USE DISORDER TREATMENT; OR

16 (3) A CERTIFIED PEER COUNSELOR WHO PROVIDES SUPPORT  
17 SERVICES TO PATIENTS WITH MENTAL HEALTH OR SUBSTANCE USE DISORDERS.

18 (J) "SPECIALTY ENTITY" MEANS A PRIVATE, COMMUNITY-BASED,  
19 NONPROFIT CORPORATION OR ORGANIZATION WITH OFFICES LOCATED IN THE  
20 STATE THAT ENTERS INTO A CONTRACT WITH THE HUB ENTITY TO ASSIST IN THE  
21 DELIVERY OF CONSUMER ASSISTANCE SERVICES.

22 (K) "SPOKE ENTITY" MEANS THE PRIVATE, COMMUNITY-BASED,  
23 NONPROFIT CORPORATION OR ORGANIZATION WITH OFFICES LOCATED IN THE  
24 STATE THAT ENTERS INTO A CONTRACT WITH THE HUB ENTITY TO PROVIDE  
25 CONSUMER ASSISTANCE SERVICES IN ONE OF THE EIGHT CONNECTOR ENTITY  
26 REGIONS.

27 13-4402.

28 (A) THERE IS A CONSUMER HEALTH ACCESS PROGRAM FOR MENTAL  
29 HEALTH AND ADDICTION CARE.

30 (B) THE PURPOSES OF THE PROGRAM ARE TO:

1           **(1) ASSIST STATE RESIDENTS IN ACCESSING MENTAL HEALTH AND**  
2 **SUBSTANCE USE DISORDER SERVICES UNDER PUBLIC AND PRIVATE HEALTH**  
3 **INSURANCE; AND**

4           **(2) ADDRESS INSURANCE-RELATED BARRIERS TO MENTAL HEALTH**  
5 **AND SUBSTANCE USE DISORDER SERVICES THROUGH CONSUMER OUTREACH AND**  
6 **EDUCATION, CLIENT ASSISTANCE AND REPRESENTATION, DATA COLLECTION AND**  
7 **ANALYSIS, AND RESOLUTION OF SYSTEM-WIDE BARRIERS.**

8           **(C) THE PROGRAM SHALL BE ADMINISTERED BY THE INCUBATOR ENTITY**  
9 **AND A HUB ENTITY SELECTED BY THE INCUBATOR ENTITY.**

10 **13-4403.**

11           **(A) THERE IS A CONSUMER HEALTH ACCESS PROGRAM FOR MENTAL**  
12 **HEALTH AND ADDICTION CARE FUND.**

13           **(B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO THE**  
14 **INCUBATOR ENTITY, HUB ENTITY, AND SPOKE AND SPECIALTY ENTITIES TO CARRY**  
15 **OUT THE RESPONSIBILITIES OF THE PROGRAM.**

16           **(C) THE INCUBATOR ENTITY AND THE HUB ENTITY SELECTED BY THE**  
17 **INCUBATOR ENTITY SHALL ADMINISTER THE FUND.**

18           **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
19 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

20           **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**  
21 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

22           **(E) THE FUND CONSISTS OF:**

23           **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

24           **(2) INTEREST EARNINGS CREDITED TO THE FUND UNDER**  
25 **SUBSECTION (F)(2) OF THIS SECTION; AND**

26           **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**  
27 **THE BENEFIT OF THE FUND.**

28           **(F) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
29 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

1           **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
2 **THE FUND.**

3           **(G) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
4 **WITH THE STATE BUDGET.**

5           **(H) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS**  
6 **SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT**  
7 **OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

8 **13-4404.**

9           **CONTINGENT ON THE RECEIPT OF STATE FUNDING FOR THE PROGRAM, THE**  
10 **INCUBATOR ENTITY SHALL IMPLEMENT THE PROGRAM BY:**

11           **(1) ON OR BEFORE JULY 1, 2023, CONDUCTING AND COMPLETING AN**  
12 **APPLICATION PROCESS TO SELECT A HUB ENTITY FOR THE PROGRAM THAT MEETS**  
13 **CRITERIA ESTABLISHED BY THE INCUBATOR ENTITY THAT SHALL INCLUDE THAT**  
14 **THE HUB ENTITY HAVE:**

15                   **(I) A PUBLIC INTEREST MISSION;**

16                   **(II) QUALIFIED STAFF WHO REPRESENT THE RACIAL, ETHNIC,**  
17 **AND GENDER DIVERSITY OF RESIDENTS OF THE STATE AND INCLUDE INDIVIDUALS**  
18 **WITH PERSONAL EXPERIENCE IN ACCESSING TREATMENT FOR MENTAL HEALTH AND**  
19 **SUBSTANCE USE DISORDERS;**

20                   **(III) ORGANIZATIONAL EXPERTISE OR DEMONSTRATED**  
21 **CAPACITY TO DEVELOP EXPERTISE IN:**

22                           **1. MENTAL HEALTH AND SUBSTANCE USE DISORDER**  
23 **SERVICES;**

24                           **2. INSURANCE COVERAGE OF MENTAL HEALTH AND**  
25 **SUBSTANCE USE DISORDER SERVICES;**

26                           **3. PUBLIC OUTREACH AND EDUCATION ON INSURANCE**  
27 **COVERAGE AND SUBSTANCE USE DISORDER TREATMENT;**

28                           **4. CLIENT ASSISTANCE AND REPRESENTATION TO**  
29 **RESOLVE INSURANCE DISPUTES;**

1                   **5. THE MENTAL HEALTH PARITY AND ADDICTION**  
2 **EQUITY ACT STANDARDS; AND**

3                   **6. DATA GATHERING AND ANALYSIS;**

4                   **(IV) NO DIRECT INVOLVEMENT IN THE LICENSING,**  
5 **CERTIFICATION, OR ACCREDITATION OF A MENTAL HEALTH OR SUBSTANCE USE**  
6 **DISORDER FACILITY OR A HEALTH PLAN;**

7                   **(V) NO DIRECT OWNERSHIP OR INVESTMENT IN A MENTAL**  
8 **HEALTH OR SUBSTANCE USE DISORDER FACILITY OR HEALTH PLAN;**

9                   **(VI) NO PARTICIPATION IN THE MANAGEMENT OF A MENTAL**  
10 **HEALTH OR SUBSTANCE USE DISORDER FACILITY OR HEALTH PLAN;**

11                   **(VII) NO AGREEMENT OR ARRANGEMENT WITH AN OWNER OR**  
12 **OPERATOR OF A MENTAL HEALTH OR SUBSTANCE USE DISORDER FACILITY OR A**  
13 **HEALTH PLAN THAT COULD DIRECTLY OR INDIRECTLY RESULT IN REMUNERATION,**  
14 **IN CASH OR IN KIND, TO THE ENTITY; AND**

15                   **(VIII) A POLICY THAT ADDRESSES ANY POTENTIAL CONFLICT OF**  
16 **INTEREST RELATED TO THE DELIVERY OF PROGRAM SERVICES AND THE DELIVERY**  
17 **OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES;**

18                   **(2) ASSISTING THE HUB ENTITY IN SELECTING AND ENTERING INTO**  
19 **AN AGREEMENT TO DELIVER CONSUMER ASSISTANCE SERVICES WITH ONE SPOKE**  
20 **ENTITY IN EACH OF THE EIGHT CONNECTOR ENTITY REGIONS THAT MEETS THE**  
21 **CRITERIA ESTABLISHED BY THE HUB ENTITY;**

22                   **(3) ASSISTING THE HUB ENTITY IN SELECTING AND ENTERING INTO**  
23 **AGREEMENTS TO DELIVER CONSUMER ASSISTANCE SERVICES WITH ONE OR MORE**  
24 **SPECIALTY ENTITIES, AS NEEDED, THAT MEET THE CRITERIA ESTABLISHED BY THE**  
25 **HUB ENTITY; AND**

26                   **(4) OFFERING TECHNICAL ASSISTANCE TO THE HUB ENTITY UNDER**  
27 **AN AGREEMENT FOR A 3-YEAR PILOT PERIOD.**

28 **13-4405.**

29                   **(A) THE PROGRAM SHALL BE COMPOSED OF THE HUB ENTITY, EIGHT SPOKE**  
30 **ENTITIES, A SPECIALTY ENTITY, AS NEEDED, AND VOLUNTEERS WITH APPROPRIATE**  
31 **TRAINING AND SUPERVISION TO ASSIST WITH PROGRAM ACTIVITIES.**

1           **(B) THE PROGRAM SHALL OPERATE A 3-YEAR PILOT PROGRAM TO HELP**  
2 **CONSUMERS, INCLUDING INDIVIDUALS WHO ARE UNINSURED OR HAVE PRIVATE OR**  
3 **PUBLIC HEALTH PLANS, AND PROVIDERS NAVIGATE AND RESOLVE ISSUES RELATED**  
4 **TO:**

5                   **(1) HEALTH PLAN ENROLLMENT AND COVERAGE;**

6                   **(2) CONSUMER ACCESS TO MENTAL HEALTH AND SUBSTANCE USE**  
7 **DISORDER SERVICES; AND**

8                   **(3) ENFORCEMENT OF RIGHTS UNDER THE MENTAL HEALTH PARITY**  
9 **AND ADDICTION EQUITY ACT AND STATE AND FEDERAL INSURANCE LAWS.**

10           **(C) WITHIN 1 YEAR AFTER THE RECEIPT OF STATE FUNDING FOR THE**  
11 **PROGRAM, THE PROGRAM SHALL:**

12                   **(1) CONDUCT IN-PERSON AND OTHER OUTREACH AND EDUCATION**  
13 **FOR RESIDENTS OF THE STATE TO IMPROVE HEALTH LITERACY REGARDING:**

14                           **(I) MENTAL HEALTH AND SUBSTANCE USE DISORDER HEALTH**  
15 **BENEFIT COVERAGE AND AVAILABLE SERVICES;**

16                           **(II) ENROLLMENT IN HEALTH PLANS;**

17                           **(III) ACCESS TO MENTAL HEALTH AND SUBSTANCE USE**  
18 **DISORDER TREATMENT; AND**

19                           **(IV) RIGHTS UNDER THE MENTAL HEALTH PARITY AND**  
20 **ADDICTION EQUITY ACT;**

21                   **(2) ESTABLISH AND OPERATE A TOLL-FREE HELPLINE AND AN**  
22 **ON-LINE ASSISTANCE PORTAL TO ALLOW CONSUMERS, PROVIDERS WHO ARE**  
23 **ACTING ON BEHALF OF CONSUMERS, AND INDIVIDUALS WITHIN THE STATE'S**  
24 **BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM ACCESS TO THE SERVICES OF THE**  
25 **PROGRAM;**

26                   **(3) ASSIST CONSUMERS AND PROVIDERS WHO ARE ACTING ON**  
27 **BEHALF OF CONSUMERS IN RESOLVING ISSUES RELATED TO HEALTH PLAN**  
28 **ENROLLMENT AND SERVICE COVERAGE AND ACCESS BY WORKING WITH**  
29 **APPROPRIATE REGULATORY AGENCIES AND HEALTH PLAN REPRESENTATIVES;**

30                   **(4) ASSIST AND REPRESENT CONSUMERS IN THE FILING OF**  
31 **COMPLAINTS, GRIEVANCES, AND APPEALS, INCLUDING:**

1 (I) COMPLAINTS THROUGH THE INTERNAL GRIEVANCE AND  
2 EXTERNAL REVIEW PROCESS UNDER TITLE 15, SUBTITLE 10A OF THE INSURANCE  
3 ARTICLE;

4 (II) APPEALS OF COVERAGE DECISIONS UNDER TITLE 15,  
5 SUBTITLE 10D OF THE INSURANCE ARTICLE;

6 (III) EMPLOYER-SPONSORED PLAN INTERNAL AND EXTERNAL  
7 APPEAL PROCEDURES;

8 (IV) MEDICAID FAIR HEARINGS; AND

9 (V) MEDICARE APPEALS;

10 (5) AS APPROPRIATE, WORK JOINTLY WITH STATE AGENCIES,  
11 INCLUDING THE DEPARTMENT, THE MARYLAND INSURANCE ADMINISTRATION,  
12 AND THE MARYLAND HEALTH BENEFIT EXCHANGE TO PROMOTE GREATER ACCESS  
13 TO MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES AND RESOLUTION  
14 OF CONSUMER COMPLAINTS;

15 (6) ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE  
16 HEALTH EDUCATION AND ADVOCACY UNIT OF THE OFFICE OF THE ATTORNEY  
17 GENERAL TO COORDINATE CONSUMER ASSISTANCE SERVICES AND ENSURE  
18 EFFECTIVE AND NONDUPLICATIVE ASSISTANCE IN ADDRESSING HEALTH PLAN  
19 COMPLAINTS AND APPEALS RELATED TO MENTAL HEALTH AND SUBSTANCE USE  
20 DISORDER SERVICES;

21 (7) COLLECT AND ANALYZE DATA ON ALL SERVICES PROVIDED BY  
22 THE PROGRAM, INCLUDING DE-IDENTIFIED DEMOGRAPHIC INFORMATION ABOUT  
23 CONSUMERS WHO SOUGHT AND RECEIVED ASSISTANCE, THE TYPES OF SERVICES  
24 PROVIDED, AND OUTCOMES OF THE ASSISTANCE PROVIDED;

25 (8) (I) IDENTIFY TRENDS AND GAPS IN COVERAGE OF AND ACCESS  
26 TO MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES;

27 (II) IDENTIFY TRENDS IN VIOLATIONS OF THE MENTAL HEALTH  
28 PARITY AND ADDICTION EQUITY ACT; AND

29 (III) RECOMMEND POLICIES AND PRACTICES TO RESOLVE  
30 DEFICIENCIES IN COVERAGE AND ACCESS TO SERVICES;



1           **(9) MAKE DATA, TREND ANALYSES, AND RECOMMENDATIONS**  
2 **AVAILABLE TO:**

3           **(I) MEMBERS OF THE PUBLIC;**

4           **(II) GOVERNMENT AGENCIES;**

5           **(III) THE OFFICE OF THE ATTORNEY GENERAL;**

6           **(IV) THE GENERAL ASSEMBLY; AND**

7           **(V) ANY OTHER ENTITY THAT THE PROGRAM DETERMINES**  
8 **APPROPRIATE;**

9           **(10) CONDUCT ADVOCACY WITH GOVERNMENT AGENCIES IN THE**  
10 **STATE AND THE GENERAL ASSEMBLY TO ADDRESS SYSTEMIC GAPS IN ACCESS TO**  
11 **MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES AND VIOLATIONS OF**  
12 **THE MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT; AND**

13           **(11) ISSUE AN ANNUAL REPORT THAT INCLUDES:**

14           **(I) AN ACCOUNTING OF ALL PROGRAM ACTIVITIES;**

15           **(II) AN EVALUATION OF THE PERFORMANCE OF THE PROGRAM;**

16           **(III) A COMPLETE FISCAL ACCOUNTING;**

17           **(IV) IDENTIFICATION OF INSURANCE GAPS AND ISSUES**  
18 **AFFECTING CONSUMERS AND PROVIDERS; AND**

19           **(V) RECOMMENDATIONS TO IMPROVE ACCESS TO MENTAL**  
20 **HEALTH AND SUBSTANCE USE DISORDER TREATMENT AND ENFORCEMENT OF THE**  
21 **MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT.**

22 **13-4406.**

23           **THE PROGRAM SHALL PROMOTE EQUITY IN ACCESS TO MENTAL HEALTH AND**  
24 **SUBSTANCE USE DISORDER SERVICES BY:**

25           **(1) ENSURING THAT ALL CONSUMER ASSISTANCE SERVICES INCLUDE**  
26 **AND REPRESENT THE DIVERSITY OF THE POPULATION OF THE STATE WITH RESPECT**  
27 **TO RACE, ETHNICITY, LANGUAGE, RELIGION, GENDER DIVERSITY, SEXUAL**  
28 **ORIENTATION, SOCIOECONOMIC STATUS, AND DISABILITY STATUS;**

1           **(2) ENTERING AGREEMENTS WITH SPOKE AND SPECIALTY ENTITIES**  
2 **THAT ARE LED BY AND SERVE BLACK, HISPANIC, ASIAN, INDIGENOUS, DISABILITY,**  
3 **AND GENDER DIVERSE COMMUNITIES AND SEEKING INPUT FROM DIVERSE**  
4 **COMMUNITIES IN CONSUMER ASSISTANCE SERVICE DEVELOPMENT;**

5           **(3) EMPLOYING INDIVIDUALS WITH LIVED EXPERIENCE IN MENTAL**  
6 **HEALTH AND SUBSTANCE USE DISORDER TREATMENT, INCLUDING INDIVIDUALS**  
7 **ENGAGED IN PEER SERVICE DELIVERY;**

8           **(4) DELIVERING CULTURALLY COMPETENT SERVICES THAT ARE**  
9 **RESPONSIVE TO THE DIVERSE NEEDS OF RESIDENTS OF THE STATE AND PROVIDING**  
10 **SERVICES IN MULTIPLE LANGUAGES;**

11           **(5) PROMOTING ACCESS BY OFFERING SERVICES THROUGH**  
12 **MULTIPLE MODALITIES, INCLUDING IN-PERSON, TELEPHONE, AND INTERNET**  
13 **SERVICES; AND**

14           **(6) COLLECTING AND ANALYZING DATA TO ADDRESS DISPARITIES IN**  
15 **ACCESSING MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES BY RACE,**  
16 **ETHNICITY, GENDER, AND GENDER IDENTITY.**

17 **13-4407.**

18           **(A) THE PROGRAM:**

19           **(1) MAY REQUEST, OBTAIN, AND USE THE MEDICAL OR OTHER**  
20 **RECORDS OF A CONSUMER IN THE POSSESSION OF A HEALTH PLAN OR MENTAL**  
21 **HEALTH OR SUBSTANCE USE DISORDER PROVIDER IF THE PROGRAM RECEIVES THE**  
22 **APPROPRIATE CONSENT FROM THE INDIVIDUAL OR THE LEGAL REPRESENTATIVE**  
23 **OF THE INDIVIDUAL;**

24           **(2) SHALL USE AND DISCLOSE AN INDIVIDUAL'S RECORDS IN**  
25 **COMPLIANCE WITH THE FEDERAL CONFIDENTIALITY OF ALCOHOL AND DRUG**  
26 **ABUSE PATIENT RECORDS REGULATION, 42 C.F.R. PART 2, THE HEALTH**  
27 **INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, 45 C.F.R. §§ 160 AND 164,**  
28 **AND STATE HEALTH PRIVACY STANDARDS; AND**

29           **(3) MAY NOT DISCLOSE PERSONAL IDENTIFYING INFORMATION**  
30 **ABOUT A CONSUMER IN ANY FORM OTHER THAN AGGREGATE DATA IN ANY PUBLIC**  
31 **DOCUMENT UNLESS THE INDIVIDUAL OR LEGAL REPRESENTATIVE OF THE**  
32 **INDIVIDUAL HAS PROVIDED THE APPROPRIATE CONSENT FOR RELEASE OF**  
33 **INFORMATION.**

1           **(B) THE PROGRAM SHALL REQUEST AND PROMPTLY RECEIVE, WITH**  
2 **REASONABLE NOTICE, THE COOPERATION, ASSISTANCE, INFORMATION, AND**  
3 **RECORDS FROM STATE AGENCIES AS NECESSARY TO ENABLE THE PROGRAM TO**  
4 **INVESTIGATE A CONSUMER'S COMPLAINT.**

5 **13-4408.**

6           **THE PROGRAM SHALL PUBLISH A NOTICE CONCERNING THE SERVICES**  
7 **OFFERED BY THE PROGRAM THAT SHALL BE POSTED IN A CONSPICUOUS LOCATION**  
8 **AND INCLUDED IN WRITTEN MATERIALS BY:**

9                   **(1) EACH EMPLOYER THAT PROVIDES HEALTH INSURANCE OR A**  
10 **HEALTH PLAN;**

11                   **(2) MENTAL HEALTH AND SUBSTANCE USE DISORDER PROVIDERS**  
12 **AND CRISIS SERVICES; AND**

13                   **(3) OTHER ENTITIES ON REASONABLE REQUEST BY THE PROGRAM.**

14 **13-4409.**

15           **(A) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL THE**  
16 **FOLLOWING AMOUNTS TO THE FUND:**

17                   **(1) \$1,000,000 FOR FISCAL YEAR 2024;**

18                   **(2) \$1,000,000 FOR FISCAL YEAR 2025; AND**

19                   **(3) \$1,000,000 FOR FISCAL YEAR 2026.**

20           **(B) (1) THE APPROPRIATION TO THE FUND FOR FISCAL YEAR 2024**  
21 **UNDER SUBSECTION (A)(1) OF THIS SECTION SHALL BE USED TO FUND THE**  
22 **INCUBATOR ENTITY TO CARRY OUT THE ACTIVITIES SPECIFIED UNDER § 13-4404 OF**  
23 **THIS SUBTITLE.**

24                   **(2) THE APPROPRIATIONS FOR FISCAL YEARS 2025 AND 2026 UNDER**  
25 **SUBSECTION (A)(2) AND (3) OF THIS SECTION SHALL BE USED TO FUND THE HUB**  
26 **ENTITY, ANY SPOKE AND SPECIALTY ENTITIES CONTRACTED BY THE HUB ENTITY TO**  
27 **CARRY OUT THE ACTIVITIES SPECIFIED UNDER § 13-4405 OF THIS SUBTITLE, AND**  
28 **ANY ACTIVITIES CONDUCTED BY THE INCUBATOR ENTITY IN FISCAL YEARS 2025 AND**  
29 **2026.**

