

Chapter 282

(Senate Bill 26)

AN ACT concerning

**Maryland Medical Assistance Program, Maryland Children's Health Program,
~~and Social Services Programs – Eligibility and Enrollment~~ and Workgroup on
Low-Income Utility Assistance**

FOR the purpose of requiring the Maryland Department of Health to establish an Express Lane Eligibility Program to enroll individuals, based on certain eligibility, in the Maryland Medical Assistance Program and the Maryland Children's Health Program; ~~requiring the Department of Human Services to enroll individuals, based on certain eligibility, in the Supplemental Nutrition Assistance Program; requiring the Office of Home Energy Programs to enroll individuals, based on certain eligibility, in certain Office of Home Energy Programs assistance programs; altering the eligibility requirements for the electric universal service program; requiring the Workgroup on Low-Income Utility Assistance to submit a final report to certain committees of the General Assembly on or before a certain date with certain recommendations; and generally relating to eligibility for and enrollment in the Maryland Medical Assistance Program and social services programs, the Maryland Children's Health Program, and the Workgroup on Low-Income Utility Assistance.~~

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 15–103(a)(1)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)

BY adding to
 Article – Health – General
 Section 15–103(a)(5)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)

~~BY repealing and reenacting, with amendments,
 Article – Human Services
 Section 5–501 and 5–5A–07
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)~~

~~BY repealing and reenacting, without amendments,
 Article – Human Services
 Section 5–5A–01(a) and (d)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)~~

~~BY repealing and reenacting, with amendments,
 Article — Public Utilities
 Section 7-512.1(a)(1)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2022 Supplement)~~

BY repealing and reenacting, without amendments,
 Chapter 638 of the Acts of the General Assembly of 2021
 Section 3(a)

BY repealing and reenacting, with amendments,
 Chapter 638 of the Acts of the General Assembly of 2021
 Section 3(g)

BY repealing and reenacting, without amendments,
 Chapter 639 of the Acts of the General Assembly of 2021
 Section 3(a)

BY repealing and reenacting, with amendments,
 Chapter 639 of the Acts of the General Assembly of 2021
 Section 3(g)

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

Article – Health – General

15–103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(5) ON OR BEFORE JANUARY 1, 2025, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, THE DEPARTMENT:

(i) SHALL ESTABLISH AN EXPRESS LANE ELIGIBILITY PROGRAM TO ENROLL INDIVIDUALS IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM AND MARYLAND CHILDREN’S HEALTH PROGRAM BASED ON ELIGIBILITY FINDINGS BY THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;

(ii) MAY NOT CONSIDER ANY OTHER INCOME OR ELIGIBILITY REQUIREMENTS;

(III) TO THE EXTENT THAT A WAIVER IS NEEDED TO MAXIMIZE THE NUMBER OF STATE RESIDENTS WHO MAY QUALIFY FOR THE EXPRESS LANE ELIGIBILITY PROGRAM, SHALL APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR ~~A WAIVER~~ ONE OR MORE WAIVERS UNDER § 1115 OF THE FEDERAL SOCIAL SECURITY ACT TO IMPLEMENT THE EXPRESS LANE ELIGIBILITY PROGRAM; AND

(IV) SHALL MAKE ALL REASONABLE EFFORTS TO EXPEDITE ENROLLMENT OF ELIGIBLE INDIVIDUALS IN THE EXPRESS LANE ELIGIBILITY PROGRAM, PROVIDED THAT THE DEPARTMENT MAY PROPOSE OR IMPLEMENT THE USE OF EXPRESS LANE ELIGIBILITY FOR RENEWALS BEFORE PROPOSING OR IMPLEMENTING THE USE OF EXPRESS LANE ELIGIBILITY FOR INITIAL ENROLLMENT.

~~Article — Human Services~~

~~5-501.~~

~~(a) (1) The Department may implement a Supplemental Nutrition Assistance Program in accordance with the federal Supplemental Nutrition Assistance Program.~~

~~(2) The Supplemental Nutrition Assistance Program shall include:~~

~~(i) a Restaurant Meals Program in accordance with § 5-505 of this subtitle; and~~

~~(ii) a Heat and Eat Program in accordance with § 5-506 of this subtitle.~~

~~(b) The State shall bear the nonfederal portion of the administrative costs of the Supplemental Nutrition Assistance Program for each county.~~

~~(c) Each local department shall administer the Supplemental Nutrition Assistance Program:~~

~~(1) under the supervision and control of the Department; and~~

~~(2) in accordance with the regulations of the Department and federal law.~~

~~(d) If a household includes an individual who is at least 62 years old and receives a federally funded benefit in an amount less than \$40 per month under the Supplemental Nutrition Assistance Program, the State shall provide a supplement to increase the total benefit to \$40 per month.~~

~~(E) THE DEPARTMENT SHALL ENROLL IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF SUPPLEMENTAL SECURITY INCOME.~~

~~5-5A-01.~~

- ~~(a) In this subtitle the following words have the meanings indicated.~~
- ~~(d) "Office" means the Office of Home Energy Programs.~~

~~5-5A-07.~~

- ~~(a) (1) The Office shall:~~
- ~~(i) carry out an energy emergency crisis intervention program to prevent low-income households, including the near poor, the elderly, households with children, and those on fixed incomes from experiencing danger to health or survival as a result of an energy emergency;~~
 - ~~(ii) establish intake procedures for those experiencing an energy emergency;~~
 - ~~(iii) establish guidelines for the income and program eligibility of applicants; and~~
 - ~~(iv) identify local public or private agencies to administer the crisis intervention program.~~
- ~~(2) (i) The Office shall make payments to fuel vendors and utility vendors that have provided service to persons qualifying for the crisis intervention program.~~
- ~~(ii) The amount of assistance shall be based on need.~~
- ~~(b) (1) The Office shall carry out one or more fuel and utility assistance programs to make payments on behalf of qualified households to defray fuel and utility costs.~~
- ~~(2) (i) The Office shall determine program and income eligibility guidelines.~~

~~(H) THE OFFICE SHALL ENROLL IN ANY FUEL AND UTILITY ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF:~~

- ~~PROGRAM;~~
- ~~1. THE SUPPLEMENTAL NUTRITION ASSISTANCE~~
 - ~~2. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES;~~
 - ~~3. SUPPLEMENTAL SECURITY INCOME; OR~~
 - ~~4. MEANS TESTED VETERANS AFFAIRS BENEFITS.~~

~~(3) The amount of assistance shall be based on need.~~

~~(e) For fiscal year 2023 only, the Governor shall appropriate to the Office an amount equal to the unexpended appropriation to the Office for fiscal year 2021 funding that was included in Supplemental Budget No. 5.~~

~~Article — Public Utilities~~

~~7-512.1.~~

~~(a) (1) The Commission shall establish an electric universal service program to assist electric customers with annual incomes:~~

~~(i) at or below 175% of the federal poverty level; or~~

~~(ii) for a customer at least 67 years of age,] at or below 200% of the federal poverty level.~~

Chapter 638 of the Acts of 2021

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on Low-Income Utility Assistance.

(g) (1) The Workgroup shall submit [a] AN INITIAL report of the study, findings, and recommendations, including recommended legislation and regulatory changes, to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article, on or before January 1, 2022.

(2) THE WORKGROUP SHALL SUBMIT A FINAL REPORT OF THE STUDY, FINDINGS, AND RECOMMENDATIONS, INCLUDING RECOMMENDED LEGISLATION AND REGULATORY CHANGES, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON OR BEFORE JANUARY 1, 2024.

Chapter 639 of the Acts of 2021

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup on Low–Income Utility Assistance.

(g) **(1) The Workgroup shall submit [a] AN INITIAL report of the study, findings, and recommendations, including recommended legislation and regulatory changes, to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article, on or before January 1, 2022.**

(2) THE WORKGROUP SHALL SUBMIT A FINAL REPORT OF THE STUDY, FINDINGS, AND RECOMMENDATIONS, INCLUDING RECOMMENDED LEGISLATION AND REGULATORY CHANGES, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON OR BEFORE JANUARY 1, 2024.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 3, 2023.