



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 14, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: HB 1157 – Maryland Medical Assistance Program – Employed Persons with Disabilities Program – Eligibility – Letter of Concern

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of concern for House Bill (HB) 1157 – Maryland Medical Assistance Program – Employed Individuals with Disabilities (EID).

MDH is in the process of making updates to its EID program, many of which are included in the bill's language. The proposed changes to the State plan are currently under review by the Centers for Medicare and Medicaid Services (CMS) and stakeholders. MDH anticipates its changes will be implemented by August 2024. These proposed changes include eliminating income limits, lowering the minimum age to 16, disregarding all retirement accounts, establishing new premium tiers for applicants at or above 300 of the federal poverty level (FPL), and establishing Independence Accounts in order to disregard consideration of an applicant's earned income at renewal. The existing asset test for individuals would be retained at both application and renewal. The spousal asset test will be removed.

MDH is concerned about the impact of eliminating the asset test for participants entirely, as required by HB 1157. MDH has received inquiries about the impact of receiving large monetary gifts, such as a \$1 million gift, on eligibility for EID. If the provisions with respect to elimination of the asset test in HB 1157 are enacted, all gifts, including large monetary gifts of \$1 million or more would be disregarded. MDH remains committed to working with its stakeholders to continue to improve the EID program as permitted by federal statute and CMS.

If you would like to discuss this further, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary