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1996 Regular Session
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By: Delegates Conroy, Cummings, Donoghue, Montague, Flanagan, Hurson, Heller, Mandel, Hixson, Pitkin, Klima, Branch, Dewberry, Preis, Hecht, Cadden, Conway, Slade, McKee, W. Baker, Owings, Workman, and Hubbard

Introduced and read first time: February 9, 1996

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 29, 1996

CHAPTER _____

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Community Programs - Reimbursement**
3 **Rates**

4 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt
5 regulations to adjust, beginning with Fiscal Year 1998, the reimbursement rates
6 annually for certain services through the Developmental Disabilities
7 Administration, the Alcohol and Drug Abuse Administration, and the Mental
8 Hygiene Administration; specifying that the adjustments shall be made according to
9 certain allocations provided in the State budget for State employees unless the
10 Governor submits a certain report to the General Assembly; and generally relating
11 to the reimbursement rates for community programs funded by the Department of
12 Health and Mental Hygiene.

13 BY adding to

14 Article - Health - General
15 Section 7-306.2, 8-207, 10-906, and 15-130
16 Annotated Code of Maryland
17 (1994 Replacement Volume and 1995 Supplement)

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

20 **Article - Health - General**

21 7-306.2.

2

1 (A) ~~CONSISTENT WITH SUBSECTION (B) OF THIS SECTION~~ EXCEPT AS
2 PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL ADOPT
3 REGULATIONS CONSISTENT WITH SUBSECTION (B) OF THIS SECTION TO ADJUST
4 ANNUALLY, FOR CHANGES IN THE COST OF LIVING, THE INDIVIDUAL AGENCY
5 REIMBURSEMENT RATES FOR COMMUNITY PROGRAMS THAT SERVE INDIVIDUALS
6 WHO HAVE DEVELOPMENTAL DISABILITIES.

7 (B) THE ADJUSTMENT SHALL:

8 (1) BE AT LEAST EQUAL TO THE PERCENTAGE OF THE ANNUAL
9 INCREASE PROVIDED TO STATE EMPLOYEES IN THE STATE BUDGET;

10 (2) BE APPLICABLE FOR THE ENTIRE FISCAL YEAR;

11 (3) BE MADE BEGINNING WITH FISCAL YEAR 1998 BASED ON THE TOTAL
12 ALLOCATION FOR COMMUNITY PROGRAMS FUNDED BY THE ADMINISTRATION; AND

13 (4) BE APPLIED TO ALL PROVIDERS OF COMMUNITY SERVICES FUNDED
14 BY THE ADMINISTRATION.

15 (C) THE ADJUSTMENT UNDER THIS SECTION MAY BE LESS THAN THE
16 ADJUSTMENT DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION IF THE GOVERNOR
17 REPORTS TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE
18 STATE GOVERNMENT ARTICLE, ON THE REASONS FOR THE LOWER COST OF LIVING
19 ADJUSTMENT.

20 ~~(D)~~ (D) FUNDS ALLOCATED FOR COST-OF-LIVING ADJUSTMENTS FOR
21 COMMUNITY PROGRAMS FUNDED BY THE ADMINISTRATION SHALL BE USED ONLY
22 FOR THE PURPOSE OF GRANTING COST-OF-LIVING ADJUSTMENTS TO THOSE
23 PROGRAMS.

24 8-207.

25 (A) ~~CONSISTENT WITH SUBSECTION (B) OF THIS SECTION~~ EXCEPT AS
26 PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL ADOPT
27 REGULATIONS CONSISTENT WITH SUBSECTION (B) OF THIS SECTION TO ADJUST
28 ANNUALLY, FOR CHANGES IN THE COST OF LIVING, THE INDIVIDUAL AGENCY
29 REIMBURSEMENT RATES FOR COMMUNITY PROGRAMS THAT SERVE INDIVIDUALS
30 WHO HAVE AN ALCOHOL OR DRUG DEPENDENCE.

31 (B) THE ADJUSTMENT SHALL:

32 (1) BE AT LEAST EQUAL TO THE PERCENTAGE OF THE ANNUAL
33 INCREASE PROVIDED TO STATE EMPLOYEES IN THE STATE BUDGET;

34 (2) BE APPLICABLE FOR THE ENTIRE FISCAL YEAR;

35 (3) BE MADE BEGINNING WITH FISCAL YEAR 1998 BASED ON THE TOTAL
36 ALLOCATION FOR COMMUNITY PROGRAMS FUNDED BY THE ADMINISTRATION; AND

37 (4) BE APPLIED TO ALL PROVIDERS OF COMMUNITY SERVICES FUNDED
38 BY THE ADMINISTRATION.

3

1 (C) THE ADJUSTMENT UNDER THIS SECTION MAY BE LESS THAN THE
2 ADJUSTMENT DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION IF THE GOVERNOR
3 REPORTS TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE
4 STATE GOVERNMENT ARTICLE, ON THE REASONS FOR THE LOWER COST OF LIVING
5 ADJUSTMENT.

6 ~~(C)~~ (D) FUNDS ALLOCATED FOR THE COST-OF-LIVING ADJUSTMENTS FOR
7 COMMUNITY PROGRAMS FUNDED BY THE ADMINISTRATION SHALL BE USED ONLY
8 FOR THE PURPOSE OF GRANTING COST-OF-LIVING ADJUSTMENTS TO THOSE
9 PROGRAMS.

10 10-906.

11 (A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE
12 SECRETARY SHALL ADOPT REGULATIONS CONSISTENT WITH SUBSECTION (B) OF
13 THIS SECTION TO ADJUST ANNUALLY, FOR CHANGES IN THE COST OF LIVING, THE
14 PER DIEM MEDICAL ASSISTANCE REIMBURSEMENT RATES AND THE MENTAL
15 HYGIENE ADMINISTRATION GRANT FUNDS FOR COMMUNITY-BASED PSYCHIATRIC
16 REHABILITATION PROGRAMS AND OUTPATIENT MENTAL HEALTH PROGRAMS THAT
17 SERVE INDIVIDUALS WITH MENTAL DISORDERS.

18 (B) THE ADJUSTMENT SHALL:

19 (1) BE AT LEAST EQUAL TO THE PERCENTAGE OF THE ANNUAL
20 INCREASE PROVIDED TO STATE EMPLOYEES IN THE STATE BUDGET;

21 (2) BE APPLICABLE FOR THE ENTIRE FISCAL YEAR;

22 (3) BE MADE BEGINNING WITH THE FISCAL YEAR 1998 BASED ON THE
23 TOTAL ALLOCATION FOR COMMUNITY PROGRAMS FUNDED BY THE
24 ADMINISTRATION; AND

25 (4) BE APPLIED TO ALL PROVIDERS OF COMMUNITY SERVICES FUNDED
26 BY THE ADMINISTRATION.

27 (C) THE ADJUSTMENT UNDER THIS SECTION MAY BE LESS THAN THE
28 ADJUSTMENT DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION IF THE GOVERNOR
29 REPORTS TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE
30 STATE GOVERNMENT ARTICLE, ON THE REASONS FOR THE LOWER COST OF LIVING
31 ADJUSTMENT.

32 (D) FUNDS ALLOCATED FOR THE COST OF LIVING ADJUSTMENTS FOR
33 COMMUNITY PROGRAMS FUNDED BY THE ADMINISTRATION SHALL BE USED ONLY
34 FOR THE PURPOSE OF GRANTING COST OF LIVING ADJUSTMENTS TO THOSE
35 PROGRAMS.

36 15-130.

37 ~~(A) CONSISTENT WITH SUBSECTION (B) OF THIS SECTION~~ EXCEPT AS
38 PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL ADOPT
39 REGULATIONS CONSISTENT WITH SUBSECTION (B) OF THIS SECTION TO ADJUST
40 ANNUALLY, FOR CHANGES IN THE COST OF LIVING, THE PER DIEM MEDICAL
41 ASSISTANCE REIMBURSEMENT RATES AND THE AMOUNT OF MENTAL HYGIENE

4

1 ADMINISTRATION GRANT FUNDS FOR COMMUNITY-BASED PSYCHIATRIC
2 REHABILITATION PROGRAMS AND OUTPATIENT MENTAL HEALTH PROGRAMS THAT
3 SERVE INDIVIDUALS WITH MENTAL DISORDERS.

4 (B) THE ADJUSTMENT SHALL:

5 (1) BE AT LEAST EQUAL TO THE PERCENTAGE OF THE ANNUAL
6 INCREASE PROVIDED TO STATE EMPLOYEES IN THE STATE BUDGET;

7 (2) BE APPLICABLE FOR THE ENTIRE FISCAL YEAR;

8 (3) BE MADE BEGINNING WITH FISCAL YEAR 1998 BASED ON THE TOTAL
9 ALLOCATION FOR COMMUNITY PROGRAMS FUNDED BY THE MENTAL HYGIENE
10 ADMINISTRATION; AND

11 (4) BE APPLIED TO ALL PROVIDERS OF COMMUNITY PSYCHIATRIC
12 REHABILITATION PROGRAMS AND OUTPATIENT MENTAL HEALTH PROGRAMS
13 FUNDED BY THE MENTAL HYGIENE ADMINISTRATION.

14 (C) THE ADJUSTMENT UNDER THIS SECTION MAY BE LESS THAN THE
15 ADJUSTMENT DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION IF THE GOVERNOR
16 REPORTS TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE
17 STATE GOVERNMENT ARTICLE, ON THE REASONS FOR THE LOWER COST OF LIVING
18 ADJUSTMENT.

19 ~~(D)~~ (D) FUNDS ALLOCATED FOR COST-OF-LIVING ADJUSTMENTS FOR
20 COMMUNITY PROGRAMS FUNDED BY THE MENTAL HYGIENE ADMINISTRATION
21 SHALL BE USED ONLY FOR THE PURPOSE OF GRANTING COST-OF-LIVING
22 ADJUSTMENTS TO THOSE PROGRAMS.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1996.