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**By: Delegates Hurson, Valderrama, Montague, Harrison, Conroy, Heller, McIntosh, Kopp, Perry, Mandel, Goldwater, Grosfeld, Love, DeCarlo, B. Hughes, Genn, Conway, Petzold, and Rosapepe**

Introduced and read first time: January 31, 1997

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Medical Assistance Programs - Eligibility**

3 FOR the purpose of requiring the Medical Assistance Program to provide certain services  
4 for all legal immigrants who meet certain eligibility standards and who arrived in the  
5 United States before a certain date; requiring the Department of Health and  
6 Mental Hygiene to maintain a State-Only Medical Assistance Program for certain  
7 low-income individuals who would have qualified for certain programs under  
8 certain circumstances; and generally relating to medical assistance programs.

9 BY repealing and reenacting, with amendments,

10 Article - Health - General  
11 Section 15-103(a)  
12 Annotated Code of Maryland  
13 (1994 Replacement Volume and 1996 Supplement)

14 BY adding to

15 Article - Health - General  
16 Section 15-124.1  
17 Annotated Code of Maryland  
18 (1994 Replacement Volume and 1996 Supplement)

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

21 **Article - Health - General**

22 15-103.

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

25 (2) The Program:

26 (i) Subject to the limitations of the State budget, shall provide  
27 comprehensive medical and other health care services for indigent individuals or  
28 medically indigent individuals or both;

1 (ii) Shall provide, subject to the limitations of the State budget,  
2 comprehensive medical and other health care services for all eligible pregnant women  
3 and, at a minimum, all children currently under the age of 1 whose family income falls  
4 below 185 percent of the poverty level, as permitted by the federal law;

5 (iii) Shall provide, subject to the limitations of the State budget, family  
6 planning services to women currently eligible for comprehensive medical care and other  
7 health care under item (ii) of this paragraph for 5 years after the second month following  
8 the month in which the woman delivers her child;

9 (iv) Shall provide, subject to the limitations of the State budget,  
10 comprehensive medical and other health care services for all children from the age of 1  
11 year up through and including the age of 5 years whose family income falls below 133  
12 percent of the poverty level, as permitted by the federal law;

13 (v) Shall provide, subject to the limitations of the State budget,  
14 comprehensive medical care and other health care services for all children born after  
15 September 30, 1983 who are at least 6 years of age but are under 19 years of age whose  
16 family income falls below 100 percent of the poverty level, as permitted by federal law;

17 (VI) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE STATE  
18 BUDGET, COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE SERVICES  
19 FOR ALL LEGAL IMMIGRANTS WHO MEET PROGRAM ELIGIBILITY STANDARDS AND  
20 WHO ARRIVED IN THE UNITED STATES ON OR BEFORE AUGUST 22, 1996, THE  
21 EFFECTIVE DATE OF THE FEDERAL PERSONAL RESPONSIBILITY AND WORK  
22 OPPORTUNITY RECONCILIATION ACT, AS PERMITTED BY FEDERAL LAW;

23 [(vi)] (VII) May include bedside nursing care for eligible Program  
24 recipients; and

25 [(vii)] (VIII) Shall provide services in accordance with funding  
26 restrictions included in the annual State budget bill.

27 (3) Subject to restrictions in federal law or waivers, the Department may  
28 impose cost-sharing on Program recipients.

29 15-124.1.

30 THE DEPARTMENT SHALL MAINTAIN A STATE-ONLY MEDICAL ASSISTANCE  
31 PROGRAM FOR LOW-INCOME INDIVIDUALS WHO ARE:

32 (1) MINORS WHO WOULD HAVE QUALIFIED AS DISABLED UNDER THE  
33 FEDERAL SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM IF THEIR ELIGIBILITY  
34 HAD BEEN DETERMINED BEFORE AUGUST 22, 1996, THE EFFECTIVE DATE OF THE  
35 FEDERAL PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION  
36 ACT;

37 (2) LEGAL IMMIGRANTS WHO WOULD HAVE QUALIFIED FOR THE  
38 MEDICAL ASSISTANCE PROGRAM IF THEY HAD ARRIVED IN THE UNITED STATES  
39 BEFORE AUGUST 22, 1996, THE EFFECTIVE DATE OF THE FEDERAL PERSONAL  
40 RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT; AND

41 (3) ADULTS WHO:

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1                   (I) WOULD HAVE QUALIFIED FOR THE FEDERAL SUPPLEMENTAL  
2 SECURITY INCOME (SSI) PROGRAM IF THEIR ELIGIBILITY HAD BEEN DETERMINED  
3 BEFORE MARCH 29, 1996, THE EFFECTIVE DATE OF THE FEDERAL CONTRACT WITH  
4 AMERICA ADVANCEMENT ACT; AND

5                   (II) ARE NO LONGER ELIGIBLE BECAUSE ALCOHOL OR DRUG  
6 ADDICTION MATERIALLY CONTRIBUTED TO THEIR DISABILITY.

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 1997.