

SENATE BILL 85

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1998 Regular Session
8lr6166
CF 8lr6167

(PRE-FILED)

By: **The President (Administration) and Senators Bromwell, Young, Dorman, Astle, Della, Derr, Hafer, Madden, Roesser, Teitelbaum, Trotter, Hollinger, Currie, Forehand, Kelley, Ruben, Pinsky, Middleton, and Miller**

Requested: November 14, 1997
Introduced and read first time: January 14, 1998
Assigned to: Finance

Committee Report: Favorable
Senate action: Adopted with floor amendments
Read second time: January 20, 1998

CHAPTER _____

1 AN ACT concerning

2 **Maryland Children's Health Program**

3 FOR the purpose of requiring the Medical Assistance Program to provide certain
4 services to certain minors and other individuals who meet certain family income
5 standards; providing that in order to qualify for the Program an individual may
6 not be covered by or have voluntarily terminated certain employer-based health
7 insurance coverage within a certain time period; requiring the Department to
8 make certain outreach efforts; providing that Program applications shall be
9 made available in a certain manner; requiring the Department to apply for a
10 certain waiver, conduct certain studies, and submit certain reports; making
11 provisions of this Act severable; and generally relating to the Maryland
12 Children's Health Program.

13 BY renumbering
14 Article - Health - General
15 Section 15-103.1
16 to be Section 15-103.2
17 Annotated Code of Maryland
18 (1994 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article - Health - General
21 Section 15-101(a), (h), and (i)

1 Annotated Code of Maryland
2 (1994 Replacement Volume and 1997 Supplement)

3 BY adding to
4 Article - Health - General
5 Section 15-103.1
6 Annotated Code of Maryland
7 (1994 Replacement Volume and 1997 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That Section(s) 15-103.1 of Article - Health - General of the Annotated
10 Code of Maryland be renumbered to be Section(s) 15-103.2.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
12 read as follows:

13 **Article - Health - General**

14 15-101.

15 (a) In this title the following words have the meanings indicated.

16 (h) "Program" means the Maryland Medical Assistance Program.

17 (i) "Program recipient" means an individual who receives benefits under the
18 Program.

19 15-103.1.

20 (A) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE PROGRAM
21 SHALL PROVIDE COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE
22 SERVICES TO AN INDIVIDUAL WHO HAS A FAMILY INCOME AT OR BELOW 200% OF
23 THE FEDERAL POVERTY LEVEL AND WHO IS:

24 (1) UNDER THE AGE OF 19 YEARS; OR

25 (2) PREGNANT OR UP TO 2 MONTHS POSTPARTUM.

26 (B) TO QUALIFY AS A PROGRAM RECIPIENT UNDER THIS SECTION, AN
27 INDIVIDUAL MAY NOT:

28 (1) BE COVERED BY EMPLOYER-BASED HEALTH INSURANCE; OR

29 (2) HAVE VOLUNTARILY TERMINATED EMPLOYER-BASED HEALTH
30 INSURANCE COVERAGE WITHIN THE PRECEDING 3 MONTHS.

31 (C) THE DEPARTMENT SHALL PUBLICIZE THE MARYLAND CHILDREN'S
32 HEALTH PROGRAM AND, IN CONJUNCTION WITH THE MARYLAND HEALTH CARE
33 FOUNDATION, MAKE OUTREACH EFFORTS THROUGHOUT THE STATE.

1 (D) (1) APPLICATIONS TO QUALIFY AS A PROGRAM RECIPIENT UNDER THIS
2 SECTION SHALL BE MADE AVAILABLE IN LOCAL HEALTH DEPARTMENTS AND LOCAL
3 DEPARTMENTS OF SOCIAL SERVICES.

4 (2) TO THE EXTENT POSSIBLE, APPLICATIONS TO QUALIFY AS A
5 PROGRAM RECIPIENT UNDER THIS SECTION SHALL BE MADE AVAILABLE IN
6 SCHOOLS, DAY CARE CENTERS, LIBRARIES, HEAD START PROGRAMS, AND OTHER
7 APPROPRIATE LOCATIONS.

8 (3) APPLICATIONS MAY BE SUBMITTED THROUGH THE MAIL.

9 SECTION 3. AND BE IT FURTHER ENACTED, That the Department shall
10 apply to the federal Health Care Financing Administration for a waiver and take any
11 other steps necessary to secure federal dollars at an enhanced matching rate for
12 coverage of pregnant women.

13 SECTION 4. AND BE IT FURTHER ENACTED, That the Department of
14 Health and Mental Hygiene shall study and report to the Senate Finance Committee,
15 the House Environmental Matters Committee, and, in accordance with § 2-1246 of
16 the State Government Article, the General Assembly, on or before December 31, 1998,
17 on the feasibility and cost-effectiveness of providing family coverage for the families
18 of individuals who qualify to receive benefits under § 15-103.1 of the Health -
19 General Article.

20 SECTION 5. AND BE IT FURTHER ENACTED, That the Department of
21 Health and Mental Hygiene, in consultation with the Maryland Insurance
22 Administration, the Health Care Access and Cost Commission, the business
23 community, and the health insurance industry, shall conduct a study to determine the
24 effect the Maryland Children's Health Program has or may have on the availability of
25 private health care coverage to the Program's target population and on the
26 willingness of the families of the target population to purchase private health care
27 coverage. The study shall recommend ways to encourage and increase the availability
28 and purchase of private coverage. The study shall also examine the feasibility and
29 cost effectiveness of providing comprehensive medical care and other health care
30 services to Program recipients through the private market, including the prospect for
31 purchasing dependent medical coverage through an employer-sponsored health plan.
32 If a private market proposal is found to be feasible, the Department shall apply to the
33 federal Health Care Financing Administration for a waiver, if necessary, and take any
34 other steps necessary to implement the proposal. The Department shall report the
35 results of its study to the Senate Finance Committee, the House Environmental
36 Matters Committee, and, in accordance with § 2-1246 of the State Government
37 Article, the General Assembly, on or before December 31, 1998.

38 ~~SECTION 6.~~ AND BE IT FURTHER ENACTED, That if any provision of
39 this Act or the application thereof to any person or circumstance is not approved by
40 the federal Health Care Financing Administration, that disapproval does not affect
41 other provisions or any other application of this Act which is approved, and for this
42 purpose the provisions of this Act are declared severable.

1 SECTION ~~6.~~ 7. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect July 1, 1998.