
By: **Senators Bromwell, Dorman, Astle, Teitelbaum, Roesser, Hafer, and Derr**

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Assigned to: Budget and Taxation
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Committee Report: Favorable
Senate action: Adopted
Read second time: April 1, 1998

CHAPTER _____

1 AN ACT concerning

2 **Local Government Health Funding Incentive Program**

3 FOR the purpose of authorizing a county to participate in a certain health funding
4 incentive program if the county appropriates local funds for a certain eligible
5 program; requiring the Department of Health and Mental Hygiene to direct
6 certain locally appropriated funds in a certain manner; requiring the
7 Department to cooperate with a county in obtaining certain federal funds;
8 directing the disposition of certain federal funds; deeming a county to have met
9 a certain funding specification if a certain appropriation by the county includes
10 an appropriation for a certain program for the developmentally disabled in a
11 certain amount; requiring the Governor to include in the budget of the
12 Developmental Disabilities Administration a certain amount under certain
13 circumstances; providing for the status of certain funds included by the
14 Governor in a certain budget; authorizing the Department to recover certain
15 reasonable administrative costs; defining a certain term; providing for a delayed
16 effective date; and generally relating to funding for certain health programs.

17 BY repealing and reenacting, without amendments,
18 Article - Health - General
19 Section 1-101(a) and (c) and 7-101(a) and (b)
20 Annotated Code of Maryland
21 (1994 Replacement Volume and 1997 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article - Health - General

1 Section 7-705
 2 Annotated Code of Maryland
 3 (1994 Replacement Volume and 1997 Supplement)

4 BY adding to
 5 Article - Health - General
 6 Section 24-901 through 24-907, inclusive, to be under the new subtitle "Subtitle
 7 9. Local Government Health Funding Incentive Program"
 8 Annotated Code of Maryland
 9 (1996 Replacement Volume and 1997 Supplement)

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

12 **Article - Health - General**

13 1-101.

14 (a) In this article the following words have the meanings indicated.

15 (c) "Department" means the Department of Health and Mental Hygiene.

16 7-101.

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

18 (b) "Administration" means the Developmental Disabilities Administration.

19 7-705.

20 [For] SUBJECT TO §§ 24-901 THROUGH 24-907 OF THIS ARTICLE, FOR day
 21 habilitation and vocational services, the Administration shall also use local funds.
 22 The local funds shall be limited to the amount paid by each jurisdiction in fiscal year
 23 1984.

24 **SUBTITLE 9. LOCAL GOVERNMENT HEALTH FUNDING INCENTIVE PROGRAM.**

25 24-901.

26 **IN THIS SUBTITLE, "ELIGIBLE PROGRAM" MEANS A PROGRAM THAT IS FUNDED**
 27 **BY A LOCAL APPROPRIATION FOR:**

28 (1) **THE DEVELOPMENTALLY DISABLED, INCLUDING:**

29 (I) **COMMUNITY-BASED RESIDENTIAL PROGRAMS UNDER TITLE 7,**
 30 **SUBTITLE 6 OF THIS ARTICLE;**

1 (II) FAMILY SUPPORT SERVICES, INDIVIDUAL SUPPORT SERVICES,
2 AND COMMUNITY SUPPORTED LIVING ARRANGEMENTS UNDER TITLE 7, SUBTITLE 7
3 OF THIS ARTICLE; OR

4 (III) SUPPLEMENTS TO LOCAL PROVIDERS THAT DELIVER SERVICES
5 TO DEVELOPMENTALLY DISABLED INDIVIDUALS WITHIN A COUNTY;

6 (2) COMMUNITY MENTAL HEALTH PROGRAMS UNDER §§ 10-901
7 THROUGH 10-905 OF THIS ARTICLE; OR

8 (3) STATE OPERATED HEALTH FACILITIES THAT ARE OPERATED UNDER
9 THIS ARTICLE AND ARE LOCATED IN A COUNTY OR SERVE RESIDENTS OF A COUNTY.
10 24-902.

11 A COUNTY MAY PARTICIPATE IN A LOCAL GOVERNMENT HEALTH FUNDING
12 INCENTIVE PROGRAM IF THE COUNTY APPROPRIATES LOCAL FUNDS FOR AN
13 ELIGIBLE PROGRAM.

14 24-903.

15 THE DEPARTMENT SHALL DIRECT LOCALLY APPROPRIATED FUNDS UNDER
16 THIS SUBTITLE TO AN ELIGIBLE PROGRAM IN THE MANNER THAT THE COUNTY
17 WHICH APPROPRIATES THE FUNDS SPECIFIES.

18 24-904.

19 (A) THE DEPARTMENT SHALL COOPERATE WITH A COUNTY IN OBTAINING
20 ANY POTENTIAL FEDERAL MATCHING FUNDS THAT MAY BE AVAILABLE TO THE
21 STATE FOR AN ELIGIBLE PROGRAM SUPPORTED BY A LOCAL APPROPRIATION.

22 (B) ANY FEDERAL FUNDS THAT THE STATE OBTAINS UNDER SUBSECTION (A)
23 OF THIS SECTION SHALL BE USED TO SUPPLEMENT A LOCAL PROGRAM DESIGNATED
24 BY A PARTICIPATING COUNTY.

25 24-905.

26 A COUNTY SHALL BE DEEMED TO HAVE MET THE FUNDING SPECIFICATION OF
27 § 7-705 OF THIS ARTICLE IF THE APPROPRIATION OF LOCAL FUNDS BY THE COUNTY
28 TO AN ELIGIBLE PROGRAM INCLUDES AN APPROPRIATION FOR A PROGRAM FOR THE
29 DEVELOPMENTALLY DISABLED UNDER § 24-901(1) OF THIS SUBTITLE OF AN AMOUNT
30 AT LEAST TWICE THE AMOUNT INDICATED FOR THAT COUNTY UNDER § 7-705 OF
31 THIS ARTICLE.

32 24-906.

33 (A) FOR A COUNTY THAT APPROPRIATES THE AMOUNT SPECIFIED IN § 24-905
34 OF THIS SUBTITLE, THE GOVERNOR SHALL INCLUDE IN THE BUDGET OF THE
35 ADMINISTRATION AN AMOUNT EQUAL TO THE FUNDING AMOUNT OF THAT COUNTY
36 UNDER § 7-705 OF THIS ARTICLE.

1 (B) THE AMOUNT THE GOVERNOR INCLUDES UNDER SUBSECTION (A) OF THIS
2 SECTION IS IN ADDITION TO THE REGULAR OPERATING BUDGET FOR THE
3 ADMINISTRATION.

4 24-907.

5 THE DEPARTMENT MAY RECOVER THE REASONABLE COSTS OF ADMINISTERING
6 THIS SUBTITLE FROM A PARTICIPATING COUNTY.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 1999.