

**HOUSE BILL 988**  
**EMERGENCY BILL**

Unofficial Copy  
J1

1999 Regular Session  
9r1941

---

By: **Delegate Hurson**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2                                   **Maryland Medical Assistance Program - Special Needs Children - Fee for**  
3                                   **Service**

4 FOR the purpose of exempting children of a certain age with special health care needs  
5 from the Maryland Medical Assistance Program; providing fee for service  
6 reimbursement to health care providers of children with special health care  
7 needs; requiring the Secretary of Health and Mental Hygiene to conduct an  
8 annual survey of certain health care providers to determine a certain fee for  
9 service; requiring the Secretary to consult with providers of specialty care to  
10 develop regulations to implement this Act; making this Act an emergency  
11 measure; and generally relating to the Maryland Medical Assistance Program.

12 BY repealing and reenacting, with amendments,  
13 Article - Health - General  
14 Section 15-103(b)(4)  
15 Annotated Code of Maryland  
16 (1994 Replacement Volume and 1998 Supplement)

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

19                                   **Article - Health - General**

20 15-103.

21       (b)       (4)       (i)       The Secretary may exclude specific populations or services from  
22 the program developed under paragraph (1) of this subsection.

23                                   (ii)       For any populations or services excluded under this paragraph,  
24 the Secretary may authorize a managed care organization[,] to provide the services  
25 or provide for the population, including authorization of a separate dental managed  
26 care organization or a managed care organization to provide services to Program  
27 recipients with special needs.

1 (III) 1. ON OR AFTER NOVEMBER 1, 1999, THE SECRETARY SHALL  
2 EXCLUDE CHILDREN UNDER THE AGE OF 19 YEARS WITH SPECIAL HEALTH CARE  
3 NEEDS FROM THE PROGRAM DEVELOPED UNDER PARAGRAPH (1) OF THIS  
4 SUBSECTION.

5 2. FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS  
6 IDENTIFIED IN SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE SECRETARY  
7 SHALL REIMBURSE A HEALTH CARE PROVIDER FOR HEALTH CARE OF CHILDREN  
8 WITH SPECIAL HEALTH CARE NEEDS ON A FEE FOR SERVICE BASIS.

9 3. THE SECRETARY SHALL ADOPT REGULATIONS TO  
10 IMPLEMENT THIS SUBPARAGRAPH AND SHALL CONSULT WITH PROVIDERS OF  
11 SPECIALITY CARE.

12 4. THE SECRETARY SHALL CONDUCT A STATEWIDE SURVEY  
13 ANNUALLY ON FEES FOR SERVICES CHARGED BY HEALTH CARE PROVIDERS FOR  
14 CHILDREN IN SPECIALTY AREAS. THESE FEES SHALL BE SET BY REGULATION AND  
15 SHALL NOT BE LESS THAN 90% OF THE FEES PAID FOR SIMILAR SERVICES PRIOR TO  
16 THE IMPLEMENTATION OF THE HEALTH CHOICE PROGRAM.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
18 measure, is necessary for the immediate preservation of the public health and safety,  
19 has been passed by a ye and nay vote supported by three-fifths of all the members  
20 elected to each of the two Houses of the General Assembly, and shall take effect from  
21 the date it is enacted.