

SENATE BILL 327

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HB 1056/98 - APP

1999 Regular Session
9lr2011
CF 9lr1461

By: **Senator Currie**

Introduced and read first time: February 5, 1999

Assigned to: Budget and Taxation and Finance

A BILL ENTITLED

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 under certain conditions; requiring the Department of Health
5 and Mental Hygiene to direct certain locally appropriated funds to a licensed
6 provider in accordance with certain requirements; requiring the Department to
7 obtain certain federal matching funds and to transfer certain federal funds it
8 receives to a certain eligible program in accordance with certain requirements;
9 deeming a county to have met a certain funding specification if the county
10 makes a certain appropriation for a program for the developmentally disabled in
11 a certain amount; requiring the Governor to include a certain monetary amount
12 in the budget of the Developmental Disabilities Administration based on an
13 appropriation by a certain county; specifying that a certain amount the
14 Governor includes in a certain budget is in addition to the regular operating
15 budget for the Administration; requiring certain counties to provide the
16 Department with certain documentation concerning an appropriation;
17 authorizing the Department to recover certain reasonable administrative costs;
18 requiring the Department to develop certain uniform procedures concerning
19 certain payments; specifying that this Act does not require a county to
20 appropriate funds for a certain community mental health program; defining a
21 certain term; providing for a delayed effective date; and generally relating to
22 funding for certain health programs.

23 BY repealing and reenacting, without amendments,
24 Article - Health - General
25 Section 1-101(a) and (c) and 7-101(a) and (b)
26 Annotated Code of Maryland
27 (1994 Replacement Volume and 1998 Supplement)

28 BY repealing and reenacting, with amendments,
29 Article - Health - General
30 Section 7-705
31 Annotated Code of Maryland
32 (1994 Replacement Volume and 1998 Supplement)

1 BY adding to
2 Article - Health - General
3 Section 24-1001 through 24-1009, inclusive, to be under the new subtitle
4 "Subtitle 10. Local Government Health Funding Incentive Program"
5 Annotated Code of Maryland
6 (1996 Replacement Volume and 1998 Supplement)

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

9 **Article - Health - General**

10 1-101.

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

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

13 7-101.

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

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

16 7-705.

17 (A) [For] SUBJECT TO §§ 24-1001 THROUGH 24-1009 OF THIS ARTICLE, FOR day
18 habilitation and vocational services, the Administration shall also use local funds.

19 (B) The local funds shall be limited to the amount paid by each jurisdiction in
20 fiscal year 1984.

21 SUBTITLE 10. LOCAL GOVERNMENT HEALTH FUNDING INCENTIVE PROGRAM.

22 24-1001.

23 NOTHING IN THIS SUBTITLE REQUIRES A COUNTY TO APPROPRIATE FUNDS FOR
24 AN ELIGIBLE COMMUNITY MENTAL HEALTH PROGRAM UNDER §§ 10-901 THROUGH
25 10-905 OF THIS ARTICLE.

26 24-1002.

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

29 (1) SERVICES LICENSED UNDER TITLE 7, SUBTITLE 10 OF THIS ARTICLE
30 FOR ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;

31 (2) SERVICES PROVIDED BY COMMUNITY HEALTH PROGRAMS UNDER §§
32 10-901 THROUGH 10-905 OF THIS ARTICLE; OR

1 (3) HEALTH FACILITIES OPERATED BY THE STATE UNDER THIS ARTICLE
2 THAT ARE LOCATED IN A COUNTY OR SERVE RESIDENTS OF A COUNTY.

3 24-1003.

4 A COUNTY MAY PARTICIPATE IN AN ELIGIBLE PROGRAM:

5 (1) IF THE COUNTY APPROPRIATES LOCAL FUNDS FOR THE ELIGIBLE
6 PROGRAM; AND

7 (2) IN ACCORDANCE WITH TERMS ON WHICH THE DEPARTMENT AND
8 THE COUNTY MUTUALLY AGREE.

9 24-1004.

10 THE DEPARTMENT SHALL DIRECT LOCALLY APPROPRIATED FUNDS UNDER
11 THIS SUBTITLE TO A LICENSED PROVIDER IN ACCORDANCE WITH APPROPRIATE
12 STATE AND FEDERAL MEDICAID REQUIREMENTS AND STATE PROCUREMENT
13 REQUIREMENTS.

14 24-1005.

15 THE DEPARTMENT SHALL:

16 (1) OBTAIN ANY POTENTIAL FEDERAL MATCHING FUNDS THAT MAY BE
17 AVAILABLE TO THE STATE FOR AN ELIGIBLE PROGRAM SUPPORTED BY A LOCAL
18 APPROPRIATION IN ACCORDANCE WITH STATE AND FEDERAL MEDICAID
19 REQUIREMENTS; AND

20 (2) TRANSFER ANY FEDERAL FUNDS THAT IT RECEIVES UNDER
21 PARAGRAPH (1) OF THIS SECTION TO AN ELIGIBLE PROGRAM DESIGNATED BY A
22 PARTICIPATING COUNTY IN ACCORDANCE WITH STATE AND FEDERAL MEDICAID
23 REQUIREMENTS.

24 24-1006.

25 (A) A COUNTY SHALL BE DEEMED TO HAVE MET THE FUNDING
26 SPECIFICATION OF § 7-705 OF THIS ARTICLE IF:

27 (1) THE APPROPRIATION FOR AN ELIGIBLE PROGRAM INCLUDES AN
28 APPROPRIATION FOR A PROGRAM FOR THE DEVELOPMENTALLY DISABLED UNDER §
29 24-1002(1) OF THIS SUBTITLE OF AN AMOUNT AT LEAST TWICE THE AMOUNT
30 INDICATED FOR THAT COUNTY UNDER § 7-705 OF THIS ARTICLE; AND

31 (2) THE DEPARTMENT HAS DOCUMENTATION OF THE APPROPRIATION.

32 (B) EACH COUNTY THAT PARTICIPATES IN AN ELIGIBLE PROGRAM SHALL
33 PROVIDE THE DEPARTMENT WITH SUFFICIENT DOCUMENTATION OF EACH
34 APPROPRIATION TO THE ELIGIBLE PROGRAM.

1 24-1007.

2 (A) FOR A COUNTY THAT APPROPRIATES THE AMOUNT SPECIFIED IN § 24-1006
3 OF THIS SUBTITLE, THE GOVERNOR SHALL INCLUDE IN THE BUDGET OF THE
4 DEVELOPMENTAL DISABILITIES ADMINISTRATION AN AMOUNT EQUAL TO THE
5 FUNDING AMOUNT OF THAT COUNTY UNDER § 7-705 OF THIS ARTICLE.

6 (B) THE AMOUNT THE GOVERNOR INCLUDES UNDER SUBSECTION (A) OF THIS
7 SECTION IS IN ADDITION TO THE REGULAR OPERATING BUDGET FOR THE
8 ADMINISTRATION.

9 24-1008.

10 THE DEPARTMENT MAY RECOVER THE REASONABLE COSTS OF ADMINISTERING
11 THIS SUBTITLE FROM A PARTICIPATING COUNTY.

12 24-1009.

13 THE DEPARTMENT SHALL DEVELOP UNIFORM PROCEDURES INCLUDING
14 SCHEDULES TO MAKE PAYMENTS TO ELIGIBLE PROGRAMS AND RECEIVE PAYMENTS
15 FROM PARTICIPATING COUNTIES FOR THE ELIGIBLE PROGRAM.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2000.