

SENATE BILL 327

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HB 1056/98 - APP

1999 Regular Session
9lr2011
CF 9lr1461

By: ~~Senator Currie~~ **Senators Currie, Hogan, Lawlah, McFadden, Middleton,
Ruben, and Van Hollen**

Introduced and read first time: February 5, 1999
Assigned to: Budget and Taxation and Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: April 5, 1999

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 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

1 (1994 Replacement Volume and 1998 Supplement)

2 BY repealing and reenacting, with amendments,

3 Article - Health - General

4 Section 7-705

5 Annotated Code of Maryland

6 (1994 Replacement Volume and 1998 Supplement)

7 BY adding to

8 Article - Health - General

9 Section 24-1001 through 24-1009, inclusive, to be under the new subtitle

10 "Subtitle 10. Local Government Health Funding Incentive Program"

11 Annotated Code of Maryland

12 (1996 Replacement Volume and 1998 Supplement)

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

15 **Article - Health - General**

16 1-101.

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

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

19 7-101.

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

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

22 7-705.

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

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

27 **SUBTITLE 10. LOCAL GOVERNMENT HEALTH FUNDING INCENTIVE PROGRAM.**

28 24-1001.

29 NOTHING IN THIS SUBTITLE REQUIRES A COUNTY TO APPROPRIATE FUNDS FOR
30 AN ELIGIBLE COMMUNITY MENTAL HEALTH PROGRAM UNDER §§ 10-901 THROUGH
31 10-905 OF THIS ARTICLE.

1 24-1002.

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

4 (1) SERVICES LICENSED UNDER TITLE 7, SUBTITLE ~~40~~ 9 OF THIS
5 ARTICLE FOR ELIGIBLE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;

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

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

10 24-1003.

11 A COUNTY MAY PARTICIPATE IN AN ELIGIBLE PROGRAM:

12 (1) IF THE COUNTY APPROPRIATES LOCAL FUNDS FOR THE ELIGIBLE
13 PROGRAM; AND

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

16 24-1004.

17 THE DEPARTMENT SHALL DIRECT LOCALLY APPROPRIATED FUNDS UNDER
18 THIS SUBTITLE TO A LICENSED PROVIDER IN ACCORDANCE WITH APPROPRIATE
19 STATE AND FEDERAL MEDICAID REQUIREMENTS AND STATE PROCUREMENT
20 REQUIREMENTS.

21 24-1005.

22 THE DEPARTMENT SHALL:

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

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

31 24-1006.

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

1 (1) THE APPROPRIATION FOR AN ELIGIBLE PROGRAM INCLUDES AN
2 APPROPRIATION FOR A PROGRAM FOR THE DEVELOPMENTALLY DISABLED UNDER §
3 24-1002(1) OF THIS SUBTITLE OF AN AMOUNT AT LEAST TWICE THE AMOUNT
4 INDICATED FOR THAT COUNTY UNDER § 7-705 OF THIS ARTICLE; AND

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

6 (B) EACH COUNTY THAT PARTICIPATES IN AN ELIGIBLE PROGRAM SHALL
7 PROVIDE THE DEPARTMENT WITH SUFFICIENT DOCUMENTATION OF EACH
8 APPROPRIATION TO THE ELIGIBLE PROGRAM.

9 24-1007.

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

14 (B) THE AMOUNT THE GOVERNOR INCLUDES UNDER SUBSECTION (A) OF THIS
15 SECTION IS IN ADDITION TO THE REGULAR OPERATING BUDGET FOR THE
16 ADMINISTRATION.

17 24-1008.

18 THE DEPARTMENT MAY RECOVER THE REASONABLE COSTS OF ADMINISTERING
19 THIS SUBTITLE FROM A PARTICIPATING COUNTY.

20 24-1009.

21 THE DEPARTMENT SHALL DEVELOP UNIFORM PROCEDURES INCLUDING
22 SCHEDULES TO MAKE PAYMENTS TO ELIGIBLE PROGRAMS AND RECEIVE PAYMENTS
23 FROM PARTICIPATING COUNTIES FOR THE ELIGIBLE PROGRAM.

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