

HOUSE BILL 502

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HB 317/99 - APP

2000 Regular Session  
0lr1610  
CF 0lr2085

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By: **Delegates Cadden, Kopp, Rosso, Sophocleus, Love, Leopold, Clagett,  
Heller, Conway, and McIntosh**

Introduced and read first time: February 4, 2000

Assigned to: Environmental Matters

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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 1999 Supplement)

28 BY repealing and reenacting, with amendments,  
29 Article - Health - General  
30 Section 7-705  
31 Annotated Code of Maryland

1 (1994 Replacement Volume and 1999 Supplement)

2 BY adding to

3 Article - Health - General

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

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

6 Annotated Code of Maryland

7 (1996 Replacement Volume and 1999 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Health - General**

11 1-101.

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

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

14 7-101.

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

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

17 7-705.

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

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

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

23 24-1001.

24 NOTHING IN THIS SUBTITLE REQUIRES A COUNTY TO APPROPRIATE FUNDS FOR  
25 AN ELIGIBLE COMMUNITY MENTAL HEALTH PROGRAM UNDER §§ 10-901 THROUGH  
26 10-905 OF THIS ARTICLE.

27 24-1002.

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

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

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

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

5 24-1003.

6 A COUNTY MAY PARTICIPATE IN AN ELIGIBLE PROGRAM:

7 (1) IF THE COUNTY APPROPRIATES LOCAL FUNDS FOR THE ELIGIBLE  
8 PROGRAM; AND

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

11 24-1004.

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

16 24-1005.

17 THE DEPARTMENT SHALL:

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

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

25 24-1006.

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

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

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

33 (B) EACH COUNTY THAT PARTICIPATES IN AN ELIGIBLE PROGRAM SHALL  
34 PROVIDE THE DEPARTMENT WITH SUFFICIENT DOCUMENTATION OF EACH  
35 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, 2001.