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By: **Delegate Hammen**  
Introduced and read first time: February 9, 2001  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Mental Health Services - Cost**  
3 **of Living Adjustment**

4 FOR the purpose of requiring that beginning with a certain fiscal year, the fees paid  
5 by the Department of Health and Mental Hygiene to a community mental  
6 health services provider for providing certain mental health services be adjusted  
7 annually by a certain rate of change that may not exceed a certain maximum  
8 rate; defining certain terms; and generally relating to the Department of Health  
9 and Mental Hygiene and fees paid to a mental health services provider.

10 BY adding to  
11 Article - Health - General  
12 Section 16-201.2  
13 Annotated Code of Maryland  
14 (2000 Replacement Volume)

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

17 **Article - Health - General**

18 16-201.2.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (2) "CORE SERVICE AGENCY" HAS THE MEANING STATED IN § 10-1201 OF  
22 THIS ARTICLE.

23 (3) "COMMUNITY MENTAL HEALTH SERVICES PROVIDER" MEANS A  
24 COMMUNITY-BASED MENTAL HEALTH PROGRAM APPROVED BY THE DEPARTMENT  
25 OR AN INDIVIDUAL PRACTITIONER WHO CONTRACTS WITH THE DEPARTMENT OR  
26 THE APPROPRIATE CORE SERVICE AGENCY.

1           (4)     "ELIGIBLE INDIVIDUAL" MEANS A MEDICAID RECIPIENT OR AN  
2 INDIVIDUAL WHO RECEIVES MENTAL HEALTH SERVICES SUBSIDIZED IN WHOLE OR  
3 IN PART BY THE STATE.

4     (B)     NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, THE  
5 DEPARTMENT SHALL REIMBURSE A COMMUNITY MENTAL HEALTH SERVICES  
6 PROVIDER FOR APPROVED SERVICES RENDERED TO AN ELIGIBLE INDIVIDUAL AS  
7 PROVIDED IN THIS SECTION.

8     (C)     BEGINNING IN FISCAL YEAR 2003 AND EACH FISCAL YEAR THEREAFTER,  
9 THE FEES PAID BY THE DEPARTMENT TO A COMMUNITY MENTAL HEALTH SERVICES  
10 PROVIDER FOR APPROVED SERVICES RENDERED TO AN ELIGIBLE INDIVIDUAL:

11           (1)     SHALL BE ADJUSTED ANNUALLY BY THE RATE OF CHANGE IN THE  
12 MEDICAL COMPONENT OF THE "CONSUMER PRICE INDEX FOR ALL URBAN  
13 CONSUMERS" PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR FOR THE  
14 WASHINGTON-BALTIMORE METROPOLITAN AREA; AND

15           (2)     THE ANNUAL RATE OF CHANGE MAY NOT EXCEED A MAXIMUM RATE  
16 OF 5%.

17     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 July 1, 2001.