

SENATE BILL 638

Unofficial Copy
J1

2001 Regular Session
11r2182
CF 11r2503

By: **Senators Kelley, Conway, Currie, Frosh, Hafer, Hooper, Hughes,
Kasemeyer, Madden, McFadden, Mitchell, Pinsky, Sfikas, and
Teitelbaum**

Introduced and read first time: February 2, 2001
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Medical Assistance and Children's Health Programs - Care of Newborns**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene, subject
4 to certain limitations, to develop certain newborn care programs under the
5 Medical Assistance and Children's Health Programs; requiring the Department
6 to permit the self-referral of certain newborns for primary care under these
7 Programs for a certain time; requiring certain managed care organizations to
8 provide certain coverage for certain newborn care for a certain time; and
9 generally relating to certain care and certain coverage of care for certain
10 newborns under the Medical Assistance and Children's Health Programs.

11 BY repealing and reenacting, with amendments,
12 Article - Health - General
13 Section 15-102.1(b)(2) and 15-103(b)(29)
14 Annotated Code of Maryland
15 (2000 Replacement Volume)

16 BY adding to
17 Article - Health - General
18 Section 15-303.1
19 Annotated Code of Maryland
20 (2000 Replacement Volume)

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

23 **Article - Health - General**

24 15-102.1.

25 (b) The Department shall, to the extent permitted, subject to the limitations of
26 the State budget:

1 (2) Develop a prenatal care program AND NEWBORN CARE PROGRAM for
2 Program recipients and encourage [its] utilization OF THESE PROGRAMS;

3 15-103.

4 (b) (29) (I) IN ORDER TO ENSURE PROMPT AND APPROPRIATE CARE OF
5 NEWBORNS AND TO ELIMINATE GAPS IN THEIR CARE, THE DEPARTMENT SHALL
6 ALLOW THE SELF-REFERRAL OF A NEWBORN FOR PRIMARY CARE:

7 1. FOR THE FIRST 60 DAYS FOLLOWING BIRTH; OR

8 2. UNTIL THE NEWBORN IS:

9 A. ENROLLED WITH THE MANAGED CARE ORGANIZATION OF
10 THE MOTHER OR OF THE NEWBORN'S SIBLINGS; AND

11 B. ASSIGNED THE PRIMARY CARE PROVIDER OF THE
12 MOTHER'S CHOICE.

13 (II) FOR UP TO 60 DAYS, THE MANAGED CARE ORGANIZATION OF
14 THE MOTHER SHALL PROVIDE COVERAGE AT ITS OWN FEE-FOR-SERVICE RATE OR
15 THE PROGRAM FEE-FOR-SERVICE RATE, WHICHEVER IS GREATER, FOR:

16 1. THE PRIMARY OR SPECIALTY CARE PROVIDER CARING
17 FOR THE NEWBORN; AND

18 2. A MEDICAL LABORATORY, PHARMACY, AND PROVIDER OF
19 DURABLE MEDICAL EQUIPMENT OR OTHER HEALTH CARE SERVICES FOR THE
20 NEWBORN.

21 (III) A managed care organization shall provide coverage for hearing
22 loss screenings of newborns provided by a hospital before discharge.

23 15-303.1.

24 (A) THE DEPARTMENT SHALL, TO THE EXTENT ALLOWED AND, SUBJECT TO
25 THE LIMITATIONS OF THE STATE BUDGET, DEVELOP A PRENATAL CARE PROGRAM
26 AND NEWBORN CARE PROGRAM FOR MCHP RECIPIENTS AND ENCOURAGE
27 UTILIZATION OF THESE PROGRAMS.

28 (B) IN ORDER TO ENSURE PROMPT AND APPROPRIATE CARE OF NEWBORNS
29 AND TO ELIMINATE GAPS IN THEIR CARE, THE DEPARTMENT SHALL PERMIT THE
30 SELF-REFERRAL OF A NEWBORN FOR PRIMARY CARE:

31 (1) FOR THE FIRST 60 DAYS FOLLOWING BIRTH; OR

32 (2) UNTIL THE NEWBORN IS:

33 (I) ENROLLED WITH THE MANAGED CARE ORGANIZATION OF THE
34 MOTHER OR OF THE NEWBORN'S SIBLINGS; AND

1 (II) ASSIGNED THE PRIMARY CARE PROVIDER OF THE MOTHER'S
2 CHOICE.

3 (C) FOR UP TO 60 DAYS, THE MANAGED CARE ORGANIZATION OF THE MOTHER
4 SHALL PROVIDE COVERAGE AT ITS OWN FEE-FOR-SERVICE RATE OR THE MCHP
5 FEE-FOR-SERVICE RATE, WHICHEVER IS GREATER, FOR:

6 (1) THE PRIMARY OR SPECIALTY CARE PROVIDER CARING FOR THE
7 NEWBORN; AND

8 (2) A MEDICAL LABORATORY, PHARMACY, AND PROVIDER OF DURABLE
9 MEDICAL EQUIPMENT OR OTHER HEALTH CARE SERVICES FOR THE NEWBORN.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2001.