

SENATE BILL 743

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2001 Regular Session  
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By: **Senators Van Hollen, Dorman, Frosh, Hoffman, Hollinger, Middleton,  
and Teitelbaum**

Introduced and read first time: February 2, 2001

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance Expansion Initiative of 2001**

3 FOR the purpose of expanding eligibility under the Maryland Medical Assistance  
4 Program to certain low-income working parents under certain conditions;  
5 requiring the Secretary of Health and Mental Hygiene to create a low-income  
6 employee private insurance assistance program for certain employees; requiring  
7 an employer under the low-income employee private insurance program to  
8 make a certain contribution to the premiums or costs of employer-based  
9 insurance coverage; requiring the Secretary to adopt certain regulations;  
10 requiring the Maryland Health Care Commission to conduct a periodic study to  
11 compile certain information related to the population of uninsured individuals  
12 in Maryland and certain programs and initiatives; requiring the Maryland  
13 Health Care Commission in collaboration with certain entities to submit a  
14 certain report; requiring the Department of Health and Mental Hygiene to seek  
15 certain federal approvals to provide for maximum federal funding of the  
16 provisions of this Act; providing for the application of this Act; and generally  
17 relating to expanding health insurance coverage to include certain low-income  
18 working parents.

19 BY repealing and reenacting, with amendments,  
20 Article - Health - General  
21 Section 15-103(a) and 19-115  
22 Annotated Code of Maryland  
23 (2000 Replacement Volume)

24 BY adding to  
25 Article - Health - General  
26 Section 15-133  
27 Annotated Code of Maryland  
28 (2000 Replacement Volume)

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

1 **Article - Health - General**

2 15-103.

3 (a) (1) The Secretary shall administer the Maryland Medical Assistance  
4 Program.

5 (2) The Program:

6 (i) Subject to the limitations of the State budget, shall provide  
7 comprehensive medical and other health care services for indigent individuals or  
8 medically indigent individuals or both;9 (ii) Shall provide, subject to the limitations of the State budget,  
10 comprehensive medical and other health care services for all eligible pregnant women  
11 whose family income is at or below 200 percent of the poverty level, as permitted by  
12 the federal law;13 (iii) Shall provide, subject to the limitations of the State budget,  
14 comprehensive medical and other health care services for all eligible children  
15 currently under the age of 1 whose family income falls below 185 percent of the  
16 poverty level, as permitted by federal law;17 (iv) Shall provide, subject to the limitations of the State budget,  
18 family planning services to women currently eligible for comprehensive medical care  
19 and other health care under item (ii) of this paragraph for 5 years after the second  
20 month following the month in which the woman delivers her child;21 (v) Shall provide, subject to the limitations of the State budget,  
22 comprehensive medical and other health care services for all children from the age of  
23 1 year up through and including the age of 5 years whose family income falls below  
24 133 percent of the poverty level, as permitted by the federal law;25 (vi) Shall provide, subject to the limitations of the State budget,  
26 comprehensive medical care and other health care services for all children born after  
27 September 30, 1983 who are at least 6 years of age but are under 19 years of age  
28 whose family income falls below 100 percent of the poverty level, as permitted by  
29 federal law;30 (vii) Shall provide, subject to the limitations of the State budget,  
31 comprehensive medical care and other health care services for all legal immigrants  
32 who meet Program eligibility standards and who arrived in the United States before  
33 August 22, 1996, the effective date of the federal Personal Responsibility and Work  
34 Opportunity Reconciliation Act, as permitted by federal law;35 (viii) Shall provide, subject to the limitations of the State budget and  
36 any other requirements imposed by the State, comprehensive medical care and other  
37 health care services for all legal immigrant children under the age of 18 years and  
38 pregnant women who meet Program eligibility standards and who arrived in the

1 United States on or after August 22, 1996, the effective date of the federal Personal  
2 Responsibility and Work Opportunity Reconciliation Act;

3 (ix) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE STATE  
4 BUDGET AND AS PERMITTED BY FEDERAL LAW OR WAIVER, COMPREHENSIVE  
5 MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR LOW-INCOME PARENTS:

6 1. WHO HAVE A DEPENDENT CHILD LIVING WITH THEM;

7 2. WHO DO NOT HAVE HEALTH INSURANCE COVERAGE; AND

8 3. A. BEGINNING JANUARY 1, 2003, WHOSE ANNUAL  
9 FAMILY INCOME IS AT OR BELOW 100 PERCENT OF THE FEDERAL POVERTY LEVEL;

10 B. BEGINNING JULY 1, 2003, WHOSE ANNUAL FAMILY  
11 INCOME IS AT OR BELOW 125 PERCENT OF THE FEDERAL POVERTY LEVEL; AND

12 C. BEGINNING JULY 1, 2004, WHOSE ANNUAL FAMILY  
13 INCOME LEVEL IS AT OR BELOW 150 PERCENT OF THE FEDERAL POVERTY LEVEL;

14 (X) May include bedside nursing care for eligible Program  
15 recipients; and

16 [(x)] (XI) Shall provide services in accordance with funding  
17 restrictions included in the annual State budget bill.

18 (3) Subject to restrictions in federal law or waivers, the Department may  
19 impose cost-sharing on Program recipients.

20 15-133.

21 (A) IN THIS SECTION, "PROGRAM" MEANS THE LOW-INCOME EMPLOYEE  
22 PRIVATE INSURANCE ASSISTANCE PROGRAM.

23 (B) (1) THERE IS A LOW-INCOME EMPLOYEE PRIVATE INSURANCE  
24 ASSISTANCE PROGRAM.

25 (2) THE SECRETARY SHALL ADMINISTER THE PROGRAM AS ALLOWED BY  
26 FEDERAL LAW OR WAIVER.

27 (C) BEGINNING JULY 1, 2004, AND SUBJECT TO THE LIMITATIONS OF THE  
28 STATE BUDGET AND FEDERAL LAW OR WAIVER, THE PROGRAM SHALL:

29 (1) ASSIST EMPLOYEES WHOSE ANNUAL FAMILY INCOME IS ABOVE 150  
30 PERCENT OF THE FEDERAL POVERTY LEVEL AND AT OR BELOW 200 PERCENT OF THE  
31 FEDERAL POVERTY LEVEL WITH REDUCING OR ELIMINATING THE EMPLOYEE'S  
32 REQUIRED CONTRIBUTION TO THEIR EMPLOYER-BASED INSURANCE COVERAGE;

33 (2) ASSIST EMPLOYERS IN PROVIDING OR MAINTAINING  
34 EMPLOYER-BASED INSURANCE COVERAGE FOR THE EMPLOYER'S EMPLOYEES  
35 WHOSE ANNUAL HOUSEHOLD INCOME IS ABOVE 150 PERCENT OF THE FEDERAL

1 POVERTY LEVEL AND AT OR BELOW 200 PERCENT OF THE FEDERAL POVERTY LEVEL;  
2 AND

3 (3) REQUIRE THE EMPLOYER TO PAY AT LEAST 50 PERCENT OF THE  
4 PREMIUM OR COST OF THE EMPLOYER-BASED INSURANCE COVERAGE.

5 (D) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THE  
6 PROGRAM, INCLUDING REGULATIONS THAT ESTABLISH:

7 (1) THE LEVEL OF ASSISTANCE PROVIDED UNDER THE PROGRAM FOR  
8 EMPLOYEES AND EMPLOYERS; AND

9 (2) A METHODOLOGY TO CONDITION THE AMOUNT OF ASSISTANCE  
10 PROVIDED TO EMPLOYERS UNDER SUBSECTION (C)(2) OF THIS SECTION ON THE  
11 AMOUNT OF ASSISTANCE PROVIDED BY THE EMPLOYER TO THE EMPLOYER'S  
12 EMPLOYEES UNDER SUBSECTION (C)(1) OF THIS SECTION.

13 19-115.

14 (a) In addition to the duties set forth elsewhere in this subtitle, in this Part II  
15 of this subtitle, the Commission shall:

16 (1) Act as the State agency to represent the State under Title VI of the  
17 federal Public Health Service Act; and

18 (2) Periodically participate in or perform analyses and studies that  
19 relate to:

20 (i) Adequacy of services and financial resources to meet the needs  
21 of the population;

22 (ii) Distribution of health care resources;

23 (iii) Allocation of health care resources;

24 (iv) Costs of health care in relationship to available financial  
25 resources; or

26 (v) Any other appropriate matter; AND

27 (3) EVERY 2 YEARS:

28 (I) CONDUCT A STUDY OF THE CHARACTERISTICS AND  
29 DEMOGRAPHICS OF THE POPULATION OF UNINSURED INDIVIDUALS IN MARYLAND;

30 (II) COMPILE AN INVENTORY OF THE PUBLIC AND PRIVATE  
31 PROGRAMS AND INITIATIVES DESIGNED TO ENHANCE, FOR MARYLAND'S UNINSURED  
32 POPULATION:

33 1. ACCESS TO MEDICALLY NECESSARY HEALTH CARE  
34 SERVICES; OR

