

BY: Finance Committee

AMENDMENT TO SENATE BILL NO. 296

(First Reading File Bill)

On page 1, strike beginning with “establish” in line 5 down through “give” in line 6 and substitute “adopt certain regulations within the Mental Hygiene Administration to establish a dispute resolution process for certain community mental health programs; providing that”; and in line 6 after “programs” insert “have”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 2 on page 2, inclusive and substitute:

“(A) THE SECRETARY SHALL ADOPT REGULATIONS WITHIN THE ADMINISTRATION FOR A DISPUTE RESOLUTION PROCESS INVOLVING COMMUNITY MENTAL HEALTH:

(1) CONTRACTS;

(2) PROGRAMS; AND

(3) POLICY DECISIONS AFFECTING APPLICABLE LAWS AND REGULATIONS.

(B) COMMUNITY MENTAL HEALTH PROGRAMS REGULATED BY THE ADMINISTRATION SHALL:

(1) HAVE THE RIGHT TO ACCESS THE MEDIATION PROCESS ESTABLISHED BY THE ADMINISTRATION; AND

(2) IF DISSATISFIED WITH THE OUTCOME OF THE MEDIATION BY THE ADMINISTRATION:

(Over)

(I) PURSUE APPROPRIATE REMEDIES AS SET FORTH IN THE STATE FINANCE AND PROCUREMENT ARTICLE FOR ISSUES INVOLVING CONTRACT DISPUTES; OR

(II) REQUEST A HEARING WITH THE OFFICE OF ADMINISTRATIVE HEARINGS FOR ISSUES AFFECTING DECISIONS MADE BY THE ADMINISTRATION THAT:

1. DO NOT COMPLY WITH APPLICABLE LAWS AND REGULATIONS; OR

2. AFFECT LEGAL RIGHTS OR INVOLVE LEGAL ISSUES AS PROVIDED IN § 10-202(D)(1)(I) OF THE STATE GOVERNMENT ARTICLE.”.