
By: **Chairman, Commerce and Government Matters Committee**
(Departmental - Human Resources)

Introduced and read first time: February 8, 2002
Assigned to: Commerce and Government Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 12, 2002

CHAPTER _____

1 AN ACT concerning

2 **State Finance and Procurement - Exemption - Purchase of Foster Care**
3 **Contracts**

4 FOR the purpose of altering a certain definition to exclude certain foster care
5 contracts from the application of the State procurement law.

6 BY repealing and reenacting, with amendments,
7 Article - State Finance and Procurement
8 Section 11-101(n)
9 Annotated Code of Maryland
10 (2001 Replacement Volume)

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

13 **Article - State Finance and Procurement**

14 11-101.

15 (n) (1) "Procurement contract" means an agreement in any form entered
16 into by a unit for procurement.

17 (2) "Procurement contract" does not include:

18 (i) a collective bargaining agreement with an employee
19 organization;

1 (ii) an agreement with a contractual employee, as defined in §
2 1-101(d) of the State Personnel and Pensions Article;

3 (iii) a Medicaid, Judicare, or similar reimbursement contract for
4 which law sets:

5 1. user or recipient eligibility; and

6 2. price payable by the State; [or]

7 (iv) a Medicaid contract with a managed care organization, as
8 defined in § 15-101(f) of the Health - General Article as to which regulations adopted
9 by the Department establish:

10 1. recipient eligibility;

11 2. minimum qualifications for managed care organizations;

12 and

13 3. criteria for enrolling recipients in managed care

14 organizations; OR

15 (V) A CHILD RESIDENTIAL AGREEMENT FOR WHICH:

16 1. THE CONTRACTOR IS LICENSED BY THE STATE TO
17 PROVIDE RESIDENTIAL SERVICES FOR CHILDREN;

18 2. THE USER OR RECIPIENT ELIGIBILITY IS SET BY LAW; AND

19 3. THE COST PER UNIT OF SERVICE IS ESTABLISHED BY THE
20 MARYLAND INTERAGENCY RATES COMMITTEE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2002.