

SENATE BILL 91

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SB 10/02 - FIN

2003 Regular Session
3r1159

By: **Senators Kasemeyer and Middleton**
Introduced and read first time: January 22, 2003
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Mental Health Services -**
3 **Cost-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 and 2002 Supplement)

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

25 (3) "CORE SERVICE AGENCY" HAS THE MEANING STATED IN § 10-1201 OF
26 THIS ARTICLE.

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 THE FIRST FISCAL YEAR THAT THE BUREAU OF REVENUE
9 ESTIMATES PROJECTS AN INCREASE IN PERSONAL INCOME OF 4%, AND IN EACH
10 FISCAL YEAR THEREAFTER:

11 (1) THE FEES PAID BY THE DEPARTMENT TO A COMMUNITY MENTAL
12 HEALTH SERVICES PROVIDER FOR APPROVED SERVICES RENDERED TO AN ELIGIBLE
13 INDIVIDUAL SHALL BE ADJUSTED ANNUALLY BY THE RATE OF CHANGE IN THE
14 MEDICAL COMPONENT OF THE "CONSUMER PRICE INDEX FOR ALL URBAN
15 CONSUMERS" PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR FOR THE
16 WASHINGTON-BALTIMORE METROPOLITAN AREA; AND

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2003.