

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 1117

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Pendergrass” and substitute “Delegates Pendergrass, Hurson, Hammen, Benson, Donoghue, Goldwater, Hubbard, Mandel, Morhaim, Murray, Nathan-Pulliam, Oaks, Rosenberg, and Rudolph”; in line 2, before “Maryland” insert “Health - Maryland Medical Assistance Program and”; in the same line, strike “- Reenrollment”; in line 3, after “of” insert “requiring the Department of Health and Mental Hygiene to provide guaranteed eligibility for enrollees in managed care organizations in the Medicaid program and in the Maryland Children’s Health Program for a certain time period under certain circumstances;”; in line 6, strike “after a certain period of time;” and substitute “under certain circumstances; requiring the Department of Health and Mental Hygiene to notify enrollees of certain reenrollment provisions; declaring the intent of the General Assembly; authorizing the Department of Health and Mental Hygiene to implement a certain premium structure in the Maryland Children’s Health Program; requiring the Department of Health and Mental Hygiene and the State Department of Education to make certain recommendations and to report to certain committees of the General Assembly on or before a certain date; requiring the Department of Health and Mental Hygiene to conduct a certain analysis, to make certain recommendations, and to report to certain committees of the General Assembly on or before a certain date; making certain provisions of this Act contingent on the taking effect of another Act;”; in line 6, after “to” insert “the Maryland Medical Assistance Program and”; in line 10, after “Section” insert “15-103(b)(3), 15-301.1, and”; and after line 12, insert:

“BY adding to

Article - Health - General

Section 15-103.5

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)”.”

AMENDMENT NO. 2

(Over)

On page 1, after line 15, insert:
“15-103.

(b) (3) Subject to the limitations of the State budget and as permitted by federal law or waiver, the program developed under paragraph (1) of this subsection and the program developed under § 15-301 of this title [may] SHALL provide guaranteed eligibility for each enrollee for up to 6 months, unless an enrollee obtains health insurance through another source.”.

AMENDMENT NO. 3

On page 1, strike beginning with “TO” in line 23 down through “COVERAGE” in line 25 and substitute “, WHO HAS BEEN ENROLLED IN THE MCHP PREMIUM PLAN, TO REENROLL IN THE MCHP PREMIUM PLAN:

1. UPON PAYMENT IN FULL OF ANY MONTHLY PREMIUMS OWED FOR PRIOR PERIODS OF COVERAGE UNDER THE PLAN; OR

2. AFTER A 3-MONTH WAITING PERIOD WITHOUT ANY REQUIREMENT TO PAY IN FULL ANY MONTHLY PREMIUMS OWED FOR PRIOR PERIODS OF COVERAGE UNDER THE PLAN.

(2) THE DEPARTMENT SHALL NOTIFY ENROLLEES OF THE REENROLLMENT PROVISIONS DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION”;

and in line 26, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 4

On page 2, in line 1, strike “(3)” and substitute “(4)”;

after line 21, insert:
“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

15-103.5.

IT IS THE INTENT OF THE GENERAL ASSEMBLY, THAT:

(1) ANY FEDERAL REVENUE RECEIVED BY THE STATE AS A RESULT OF AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES:

(I) WILL REMAIN WITHIN THE PROGRAM; AND

(II) BE USED TO EXPAND PROGRAM SERVICES; AND

(2) THE STATE SHALL NOT SUPPLANT STATE DOLLARS WITH ANY FEDERAL REVENUE RECEIVED AS A RESULT OF AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGES.

15-301.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Eligible individual” means an individual who qualifies to participate in the Maryland Children’s Health Program under § 15-301(b) of this subtitle.

(3) “Family contribution” means the portion of the premium cost paid for an eligible individual to enroll and participate in the Maryland Children’s Health Program.

(4) “MCHP premium plan” means the plan established under this section to provide access to health insurance coverage to eligible individuals through managed care organizations under the Maryland Children’s Health Program.

(b) Except as provided in subsection (c) of this section, this section applies only to individuals whose family income is above 200 percent, but at or below 300 percent of the federal poverty guidelines.

(c) [(1)] As a requirement of enrollment and participation in the MCHP premium plan, the parent or guardian of an eligible individual shall [agree to] pay [the following] AN annual family contribution THAT DOES NOT EXCEED 2 PERCENT OF THE ANNUAL FAMILY INCOME[:].

(Over)

(D) THE DEPARTMENT MAY IMPLEMENT A TIERED PREMIUM STRUCTURE BASED ON FAMILY INCOME AND FAMILY SIZE.

(E) (1) UNTIL THE DEPARTMENT ESTABLISHES A TIERED PREMIUM STRUCTURE BY REGULATION, THE PARENT OR GUARDIAN OF AN ELIGIBLE INDIVIDUAL SHALL PAY THE FOLLOWING ANNUAL FAMILY CONTRIBUTION:

(i) In fiscal year 2004 only, for an eligible individual whose family income is above 185 percent, but at or below 200 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 185 percent of the federal poverty guidelines;

(ii) For an eligible individual whose family income is above 200 percent, but at or below 250 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 200 percent of the federal poverty guidelines; and

(iii) For an eligible individual whose family income is above 250 percent, but at or below 300 percent of the federal poverty guidelines, an amount equal to 2 percent of the annual income of a family of two at 250 percent of the federal poverty guidelines.

(2) The family contribution amounts required under paragraph (1) of this subsection apply on a per family basis [regardless of the number of eligible individuals each family has enrolled in the MCHP premium plan].

[(d)] (F) The Department shall adopt regulations necessary to implement this section.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Department of Health and Mental Hygiene and the State Department of Education shall make recommendations on an outreach program to identify eligible individuals for the Maryland Children's Health Program;

(b) In identifying potential outreach programs, the Departments shall:

(1) consider the creation of an outreach program similar to the model utilizing the school lunch program identified in H.B. 1024 of the Acts of the General Assembly of 2004;

- (2) examine current outreach programs utilized by local boards of education; and
- (3) examine outreach programs utilized in other states and jurisdictions; and

(c) On or before September 1, 2004, in order to have the program considered for funding in the fiscal year 2006 budget, the Departments shall report their findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the House Health and Government Operations Committee and the Senate Finance Committee.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Department of Health and Mental Hygiene shall conduct an analysis of the current regulations related to hardship waivers for the payment of premiums in the Maryland Children's Health Program and make recommendations for increasing an enrollee's awareness of the availability of a hardship waiver;

(b) The analysis required under subsection (a) shall consider:

- (1) expanding the time period for the hardship waiver; and
- (2) redefining the criteria to qualify for a hardship waiver;

(c) The Department shall track the number of hardship waivers granted in the Maryland Children's Health Program; and

(d) On or before December 30, 2004, the Department shall reports its findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the House Health and Government Operations Committee and the Senate Finance Committee.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2005, contingent of the taking effect of Chapter _____ (S.B. 715/H.B. 1271) of the Acts of the General Assembly of 2004, and if Chapter _____ does not become effective, Section 1 of this

Act shall be null and void without the necessity of further action by the General Assembly.”;

in line 22, strike “2.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 5 of this Act.”.