

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL NO. 819

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Olmstead Compliance Act of 2004” and substitute “Department of Health and Mental Hygiene - Federal Waivers - Waiver for Older Adults and Medicaid Managed Care Pilot Program”.

AMENDMENT NO. 2

On page 12, in line 16, strike “AT LEAST 25% OF”; in the same line, after “THE” insert “PROPORTION OF”; and in line 18, strike “SHALL BE PARTICIPANTS IN” and substitute “WHO ARE RESIDENTS OF AREAS OF THE STATE DESCRIBED IN § 15-141(B)(3) OF THIS SUBTITLE PRIOR TO IMPLEMENTATION OF THE PROGRAM DESCRIBED IN § 15-141 OF THIS SUBTITLE SHALL REMAIN THE SAME AFTER IMPLEMENTATION OF”.

AMENDMENT NO. 3

On page 14, in line 16, strike “OR”; in the same line, after the second “FACILITY” insert “, A PSYCHIATRIC REHABILITATION PROGRAM, OR A RESIDENTIAL REHABILITATION PROGRAM”; in line 17, strike “OR”; and in line 18, after “FACILITY” insert “, PSYCHIATRIC REHABILITATION PROGRAM, OR RESIDENTIAL REHABILITATION PROGRAM”.

On page 15, after line 18, insert:

“(3) IF AN INDIVIDUAL ELIGIBLE FOR THE COMMUNITY CHOICE PROGRAM REQUIRES SPECIALTY MENTAL HEALTH SERVICES, THE INDIVIDUAL SHALL ELECT TO RECEIVE SPECIALTY MENTAL HEALTH SERVICES FROM AN APPROVED MENTAL HEALTH PROVIDER UNDER A SEPARATE ARRANGEMENT, AND PAYMENT FOR SPECIALTY MENTAL HEALTH SERVICES PROVIDED TO THE INDIVIDUAL SHALL BE MADE DIRECTLY TO THE MENTAL HEALTH PROVIDER BY THE DEPARTMENT UNDER THE MEDICAID-ESTABLISHED RATE FOR SPECIALTY

(Over)

MENTAL HEALTH SERVICES.”.

AMENDMENT NO. 4

On page 18, in line 13, strike “MAY” and substitute “SHALL”.

AMENDMENT NO. 5

On page 19, after line 9, insert:

“(P) IN DEVELOPING THE WAIVER APPLICATION UNDER THIS SECTION, THE DEPARTMENT SHALL:

(1) DETERMINE WHETHER IT IS IN THE BEST INTEREST OF WAIVER ENROLLEES TO PROVIDE FOR A STANDARD PRESCRIPTION DRUG FORMULARY AND DRUG UTILIZATION REVIEW FOR MEDICALLY NECESSARY DRUGS FOR WAIVER AND NONWAIVER RECIPIENTS IN NURSING HOMES; AND

(2) CONSIDER MAINTAINING THE SAME NURSING HOME PRESCRIPTION DRUG BENEFIT AND UTILIZATION REVIEW FOR ALL NURSING HOME RESIDENTS UNTIL FEDERAL IMPLEMENTATION OF THE MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003.”;

and in line 10, strike “(P)” and substitute “(Q)”.

AMENDMENT NO. 6

On page 19, after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, in developing the requirements for certification under § 15-141 (k) of the Health - General Article, as enacted by Section 1 of this Act, the Department of Health and Mental Hygiene shall study ways to provide incentives for community care organizations that are locally owned, controlled, and operated, and shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on or before September 30, 2004.”;

and in lines 15, 27, 31, and 34, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “3.”, “4.”, “5.”, and “6.”, respectively.