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By: **Chairman, Health and Government Operations Committee (By Request  
- Departmental - Health and Mental Hygiene)**

Introduced and read first time: February 4, 2004

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program - Maryland Children's Health**  
3 **Program**

4 FOR the purpose of altering the requirements for the Maryland Children's Health  
5 Program to be administered for certain individuals at certain incomes through  
6 the Maryland Medical Assistance Program and under certain requirements;  
7 altering the requirements for certain individuals to pay a certain family  
8 contribution as a requirement of enrollment and participation in a certain  
9 health care plan; authorizing the Department of Health and Mental Hygiene to  
10 implement a certain premium structure; and generally relating to the Maryland  
11 Children's Health Program.

12 BY repealing and reenacting, with amendments,  
13 Article - Health - General  
14 Section 15-301 and 15-301.1  
15 Annotated Code of Maryland  
16 (2000 Replacement Volume and 2003 Supplement)

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

19 **Article - Health - General**

20 15-301.

21 (a) There is a Maryland Children's Health Program.

22 (b) The Maryland Children's Health Program shall provide, subject to the  
23 limitations of the State budget and any other requirements imposed by the State and  
24 as permitted by federal law or waiver, comprehensive medical care and other health  
25 care services to an individual who has a family income at or below 300 percent of the  
26 federal poverty guidelines and who is under the age of 19 years.

27 (c) The Maryland Children's Health Program shall be administered:

1 (1) Except as provided in item (3) of this subsection, for individuals  
2 whose family income is at or below [200] 185 percent of the federal poverty  
3 guidelines, through the program under Subtitle 1 of this title requiring individuals to  
4 enroll in managed care organizations; AND

5 (2) For eligible individuals whose family income is above [200] 185  
6 percent, but at or below 300 percent of the federal poverty guidelines, through the  
7 MCHP premium plan under § 15-301.1 of this subtitle[: or].

8 [(3) In fiscal year 2004 only, for eligible individuals whose family income  
9 is above 185 percent, but at or below 300 percent of the federal poverty guidelines,  
10 through the MCHP premium plan under § 15-301.1 of this subtitle.]

11 (d) (1) The Department shall provide eligible individuals and health care  
12 providers with an accurate directory or other listing of all available providers:

13 (i) In written form, made available upon request; and

14 (ii) On an Internet database.

15 (2) The Department shall update the Internet database at least every 30  
16 days.

17 (3) The written directory shall include a conspicuous reference to the  
18 Internet database.

19 15-301.1.

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

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

23 (3) "Family contribution" means the portion of the premium cost paid for  
24 an eligible individual to enroll and participate in the Maryland Children's Health  
25 Program.

26 (4) "MCHP premium plan" means the plan established under this  
27 section to provide access to health insurance coverage to eligible individuals through  
28 managed care organizations under the Maryland Children's Health Program.

29 (b) [Except as provided in subsection (c) of this section, this] THIS section  
30 applies only to individuals whose family income is above [200] 185 percent, but at or  
31 below 300 percent of the federal poverty guidelines.

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

1 (D) THE DEPARTMENT SHALL HAVE THE AUTHORITY TO IMPLEMENT A  
2 TIERED PREMIUM STRUCTURE BASED ON FAMILY INCOME AND FAMILY SIZE.

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

6 [(i)] (1) [In fiscal year 2004 only, for] FOR an eligible individual  
7 whose family income is above 185 percent, but at or below 200 percent of the federal  
8 poverty guidelines, an amount equal to 2 percent of the annual income of a family of  
9 two at 185 percent of the federal poverty guidelines;

10 [(ii)] (2) For an eligible individual whose family income is above  
11 200 percent, but at or below 250 percent of the federal poverty guidelines, an amount  
12 equal to 2 percent of the annual income of a family of two at 200 percent of the federal  
13 poverty guidelines; and

14 [(iii)] (3) For an eligible individual whose family income is above  
15 250 percent, but at or below 300 percent of the federal poverty guidelines, an amount  
16 equal to 2 percent of the annual income of a family of two at 250 percent of the federal  
17 poverty guidelines.

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
24 effect July 1, 2004.