

(PRE-FILED)

By: **Delegates Gaines, Hammen, and Rosenberg**
Requested: October 14, 2004
Introduced and read first time: January 12, 2005
Assigned to: Health and Government Operations

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 in certain fiscal years, the fees paid by the
5 Department of Health and Mental Hygiene to a community mental health
6 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 2004 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) IN EACH FISCAL YEAR IN WHICH THE BUREAU OF REVENUE ESTIMATES
9 PROJECTS A PERSONAL INCOME GROWTH OF 4%:

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2005.