

(PRE-FILED)

By: **Delegates Pendergrass, Dumais, Love, Madaleno, Malone, Mandel, Ramirez, and F. Turner**

Requested: October 27, 2004

Introduced and read first time: January 12, 2005

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Maryland Children's Health**  
3 **Program - Guaranteed Eligibility and Reenrollment**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to  
5 provide guaranteed eligibility for enrollees in managed care organizations in the  
6 Maryland Medical Assistance Program and in the Maryland Children's Health  
7 Program for a certain time period under certain circumstances; requiring the  
8 Department of Health and Mental Hygiene to allow certain individuals whose  
9 family income is at certain levels to reenroll in managed care organizations  
10 under the Maryland Children's Health Program under certain circumstances;  
11 requiring the Department of Health and Mental Hygiene to notify enrollees of  
12 certain reenrollment provisions; and generally relating to the Maryland Medical  
13 Assistance Program and the Maryland Children's Health Program.

14 BY repealing and reenacting, without amendments,  
15 Article - Health - General  
16 Section 15-101(h) and 15-103(b)(1)  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Health - General  
21 Section 15-103(b)(3) and 15-303  
22 Annotated Code of Maryland  
23 (2000 Replacement Volume and 2004 Supplement)

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

1 **Article - Health - General**

2 15-101.

3 (h) "Program" means the Maryland Medical Assistance Program.

4 15-103.

5 (b) (1) As permitted by federal law or waiver, the Secretary may establish a  
6 program under which Program recipients are required to enroll in managed care  
7 organizations.8 (3) Subject to the limitations of the State budget and as permitted by  
9 federal law or waiver, the program developed under paragraph (1) of this subsection  
10 and the program developed under § 15-301 of this title [may] SHALL provide  
11 guaranteed eligibility for each enrollee for up to 6 months, unless an enrollee obtains  
12 health insurance through another source.

13 15-303.

14 (a) (1) The Department shall:

15 (I) [be] BE responsible for enrolling program recipients in  
16 managed care organizations under the Maryland Children's Health Program  
17 established under §§ 15-301 and 15-301.1 of this subtitle; AND18 (II) ALLOW AN ELIGIBLE INDIVIDUAL WHOSE FAMILY INCOME IS  
19 ABOVE 200 PERCENT BUT AT OR BELOW 300 PERCENT OF THE FEDERAL POVERTY  
20 GUIDELINES, WHO HAS BEEN ENROLLED IN THE MCHP PREMIUM PLAN, TO  
21 REENROLL IN THE MCHP PREMIUM PLAN:22 1. ON PAYMENT IN FULL OF ANY MONTHLY PREMIUMS  
23 OWED FOR PRIOR PERIODS OF COVERAGE UNDER THE PLAN; OR24 2. AFTER A 3-MONTH WAITING PERIOD WITHOUT ANY  
25 REQUIREMENT TO PAY IN FULL ANY MONTHLY PREMIUMS OWED FOR PRIOR  
26 PERIODS OF COVERAGE UNDER THE PLAN.27 (2) THE DEPARTMENT SHALL NOTIFY ENROLLEES OF THE  
28 REENROLLMENT PROVISIONS DESCRIBED IN PARAGRAPH (1)(II) OF THIS  
29 SUBSECTION.30 [(2)] (3) The Department may contract with an entity to perform any  
31 part or all of its enrollment responsibilities under paragraph (1) of this subsection.32 [(3)] (4) The Department or its enrollment contractor, to the extent  
33 feasible in its marketing, outreach, and enrollment programs, shall hire individuals  
34 receiving assistance under the Family Investment Program established under Article  
35 88A of the Code.

1 (b) (1) To the extent allowed under federal law and regulations, the  
2 Secretary shall implement expedited eligibility for any individual who applies  
3 through the local health department for the Maryland Children's Health Program  
4 under §§ 15-301 and 15-301.1 of this subtitle, including any individual with  
5 associated food stamp, cash assistance, or medical assistance cases.

6 (2) The Secretary shall designate organizations that may:

7 (i) Assist individuals in the application process; and

8 (ii) Perform other outreach functions.

9 (3) In designating the organizations under paragraph (2) of this  
10 subsection, the Secretary shall ensure the inclusion of statewide and local  
11 organizations that provide services to children of all ages in each region of the State,  
12 and shall provide such organizations with:

13 (i) Forms that are necessary for parents, guardians, and other  
14 individuals to submit applications to the Maryland Children's Health Program on  
15 behalf of a child; and

16 (ii) Information on how to assist parents, guardians, and other  
17 individuals in completing and filing such applications.

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