

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 472
Finance

(Senators Hollinger and Middleton)

Health and Government Operations

Medical Assistance Program - Waivers - Federal Funding

This emergency bill provides that the Department of Health and Mental Hygiene (DHMH), without the legislative approval of the General Assembly, may not amend any waivers or seek approval of any pending, existing, or future waivers to the State Medicaid Plan by any means that would: (1) consolidate federal grants or allotments; (2) cap federal contributions to Medicaid spending; or (3) alter the proportional share of federal or State Medicaid spending.

Fiscal Summary

State Effect: None. DHMH is currently not seeking these types of waivers. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: DHMH may seek State Medicaid Plan amendments or waivers without prior legislative approval.

Background: The State Medicaid Plan is the document that defines how Maryland will operate its Medicaid program. The State plan addresses the areas of State program administration, Medicaid eligibility criteria, service coverage, and provider reimbursement.

Section 1931(b) of the federal Social Security Act allows Maryland to alter its Medicaid program by amendment. In particular, the State may apply for a State plan amendment to use less restrictive income and resource methodologies than were used under the title IV-A State Plan in effect on July 16, 1996.

A Section 1115 (Social Security Act) waiver, on the other hand, allows a state to expand eligibility criteria for those who would otherwise not be eligible for the Medicaid program.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Medicaid, Developmental Disabilities Administration), Department of Legislative Services

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