

(PRE-FILED)

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By: ~~Delegates Ramirez, Parker~~ Niemann, Montgomery, Nathan-Pulliam, Frush, Rosenberg, Bobo, Quinter, Dumais, Kaiser, Healey, Benson, ~~and Mandel Mandel, Barkley, Bartlett, Barve, Bromwell, Cane, Cardin, Carter, G. Clagett, Conroy, Cryor, Elliott, Feldman, Franchot, Frank, Goldwater, Goodwin, Gutierrez, Hammen, Heller, Hixson, Holmes, Howard, Hubbard, Kach, King, Kohl, Krysiak, Kullen, Lawton, Lee, Love, Madaleno, Marriott, McDonough, McHale, McIntosh, Morhaim, Murray, Oaks, Paige, Patterson, Pendergrass, Rudolph, Ross, Simmons, Stern, Taylor, V. Turner, and Vaughn~~

Requested: September 20, 2005  
 Introduced and read first time: January 11, 2006  
 Assigned to: Appropriations and Health and Government Operations

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Committee Report: Favorable with amendments  
 House action: Adopted  
 Read second time: March 22, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Maryland Medical Assistance Program~~ Department of Health and Mental  
 3 Hygiene - Legal Immigrants - Pregnant Women and Children

4 FOR the purpose of requiring the Governor to include in the annual budget  
 5 submission for a certain fiscal ~~years~~ year a certain amount of general fund State  
 6 support for certain health care services for certain legal immigrant children and  
 7 pregnant women; ~~requiring the Governor to include a certain deficiency~~  
 8 ~~appropriation for a certain fiscal year for certain health care services for certain~~  
 9 ~~legal immigrant children and pregnant women; requiring the Department of~~  
 10 Health and Mental Hygiene, on or before a certain date, to make a certain report  
 11 to the Governor and General Assembly; and generally relating to the Maryland  
 12 Medical Assistance Program Department of Health and Mental Hygiene and  
 13 legal immigrant children and pregnant women.

14 BY ~~repealing and reenacting, with amendments, adding to~~  
 15 Article - Health - General  
 16 Section ~~15-103(a)~~ 15-142  
 17 Annotated Code of Maryland

1 (2005 Replacement Volume and 2005 Supplement)

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

4 **Article - Health - General**

5 ~~15-103.~~

6 (a) (1) ~~The Secretary shall administer the Maryland Medical Assistance~~  
7 ~~Program.~~

8 (2) ~~The Program:~~

9 (i) ~~Subject to the limitations of the State budget, shall provide~~  
10 ~~medical and other health care services for indigent individuals or medically indigent~~  
11 ~~individuals or both;~~

12 (ii) ~~Shall provide, subject to the limitations of the State budget,~~  
13 ~~comprehensive medical and other health care services for all eligible pregnant women~~  
14 ~~whose family income is at or below 250 percent of the poverty level, as permitted by~~  
15 ~~the federal law;~~

16 (iii) ~~Shall provide, subject to the limitations of the State budget,~~  
17 ~~comprehensive medical and other health care services for all eligible children~~  
18 ~~currently under the age of 1 whose family income falls below 185 percent of the~~  
19 ~~poverty level, as permitted by federal law;~~

20 (iv) ~~Shall provide, subject to the limitations of the State budget,~~  
21 ~~family planning services to women currently eligible for comprehensive medical care~~  
22 ~~and other health care under item (ii) of this paragraph for 5 years after the second~~  
23 ~~month following the month in which the woman delivers her child;~~

24 (v) ~~Shall provide, subject to the limitations of the State budget,~~  
25 ~~comprehensive medical and other health care services for all children from the age of~~  
26 ~~1 year up through and including the age of 5 years whose family income falls below~~  
27 ~~133 percent of the poverty level, as permitted by the federal law;~~

28 (vi) ~~Shall provide, subject to the limitations of the State budget,~~  
29 ~~comprehensive medical care and other health care services for all children who are at~~  
30 ~~least 6 years of age but are under 19 years of age whose family income falls below 100~~  
31 ~~percent of the poverty level, as permitted by federal law;~~

32 (vii) ~~Shall provide, subject to the limitations of the State budget,~~  
33 ~~comprehensive medical care and other health care services for all legal immigrants~~  
34 ~~who meet Program eligibility standards and who arrived in the United States before~~  
35 ~~August 22, 1996, the effective date of the federal Personal Responsibility and Work~~  
36 ~~Opportunity Reconciliation Act, as permitted by federal law;~~

1                    (viii)   ~~[Shall] SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION;~~  
 2 ~~SHALL provide, subject to the limitations of the State budget and any other~~  
 3 ~~requirements imposed by the State, comprehensive medical care and other health~~  
 4 ~~care services for all legal immigrant children under the age of 18 years and pregnant~~  
 5 ~~women who meet Program eligibility standards and who arrived in the United States~~  
 6 ~~on or after August 22, 1996, the effective date of the federal Personal Responsibility~~  
 7 ~~and Work Opportunity Reconciliation Act;~~

8                    (ix)     ~~May include bedside nursing care for eligible Program~~  
 9 ~~recipients; and~~

10                  (x)     ~~Shall provide services in accordance with funding restrictions~~  
 11 ~~included in the annual State budget bill.~~

12                  (3)     ~~THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR FISCAL~~  
 13 ~~YEAR 2008 AND EACH SUBSEQUENT FISCAL YEAR, AT LEAST \$7,000,000 IN GENERAL~~  
 14 ~~FUND STATE SUPPORT FOR COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH~~  
 15 ~~CARE SERVICES FOR ALL LEGAL IMMIGRANT CHILDREN UNDER THE AGE OF 18~~  
 16 ~~YEARS AND PREGNANT WOMEN WHO MEET PROGRAM ELIGIBILITY STANDARDS,~~  
 17 ~~ARRIVED IN THE UNITED STATES ON OR AFTER AUGUST 22, 1996, AND DO NOT~~  
 18 ~~QUALIFY FOR FEDERALLY FUNDED PROGRAM COVERAGE OR MARYLAND~~  
 19 ~~CHILDREN'S HEALTH PROGRAM COVERAGE.~~

20                  ~~[(3)]~~   (4)     ~~Subject to restrictions in federal law or waivers, the~~  
 21 ~~Department may impose cost sharing on Program recipients.~~

22                  ~~SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2007, the~~  
 23 ~~Governor shall include a deficiency appropriation of at least \$7,000,000 in General~~  
 24 ~~Fund State support for comprehensive medical care and other health care services for~~  
 25 ~~all legal immigrant children under the age of 18 years and pregnant women who meet~~  
 26 ~~Medical Assistance Program eligibility standards, arrived in the United States on or~~  
 27 ~~after August 22, 1996, and do not qualify for federally funded Medical Assistance~~  
 28 ~~Program coverage or Maryland Children's Health Program coverage.~~  
 29 ~~15-142.~~

30                  ~~THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR FISCAL YEAR 2008~~  
 31 ~~AT LEAST \$3,000,000 IN GENERAL FUND STATE SUPPORT FOR AN IMMIGRANT HEALTH~~  
 32 ~~INITIATIVE TO PROVIDE HEALTH CARE SERVICES FOR ALL LEGAL IMMIGRANT~~  
 33 ~~CHILDREN UNDER THE AGE OF 18 YEARS AND PREGNANT WOMEN WHO MEET~~  
 34 ~~PROGRAM ELIGIBILITY STANDARDS AND ARRIVED IN THE UNITED STATES ON OR~~  
 35 ~~AFTER AUGUST 22, 1996.~~

36                  ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

37                  (a)     ~~On or before January 1, 2007, the Department of Health and Mental~~  
 38 ~~Hygiene shall report to the Governor and the General Assembly, in accordance with §~~  
 39 ~~2-1246 of the State Government Article, on the immigrant health initiative~~  
 40 ~~established under the Fiscal Year 2007 Budget Bill (Senate Bill 110).~~

1 (b) The report shall include:

2 (1) a description of the immigrant health initiative;

3 (2) the number of individuals served under the initiative;

4 (3) the types of health care services provided under the initiative;

5 (4) a comparison of the number of children and pregnant women served  
6 and the health care services provided through the immigrant health initiative with  
7 the services provided under the Medical Assistance Program to legal immigrant  
8 children and pregnant women prior to 2005; and

9 (5) if inequities in services are identified under item (4) of this  
10 subsection, recommendations for methods to provide health care services that are  
11 equivalent to the health care services provided under the Medical Assistance Program  
12 to legal immigrant children and pregnant women prior to 2005.

13 (c) It is the intent of the General Assembly that if funds are available,  
14 \$7,000,000 be provided for the immigrant health program in fiscal 2008.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2006.