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By: **Chair, Health and Government Operations Committee (By Request - Departmental - Health and Mental Hygiene) and Delegates Hammen, Goldwater, Barve, Benson, Boteler, Bromwell, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kohl, Kullen, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rudolph, V. Turner, and Weldon**

Introduced and read first time: February 6, 2006  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 15, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Kidney Disease Program -**  
3 **Medicare Part D Eligibility**

4 FOR the purpose of authorizing the Department of Health and Mental Hygiene to  
5 require Kidney Disease Program recipients to apply for eligibility in the  
6 Medicare Part D Program; and generally relating to the Kidney Disease  
7 Program and Medicare Part D.

8 BY repealing and reenacting, without amendments,  
9 Article - Health - General  
10 Section 13-301 and 13-311  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2005 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article - Health - General  
15 Section 13-312  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume and 2005 Supplement)

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

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**Article - Health - General**

2 13-301.

3 The Kidney Disease Program is a program in the Department for the purpose of  
4 providing funding of kidney disease treatment for qualified individuals who elect to  
5 enroll in the Program and agree to pay fees which are described in this subtitle.

6 13-311.

7 (a) The Department shall certify an individual as eligible for benefits under  
8 the Program if the Department determines that:

9 (1) The individual has chronic kidney disease as defined in the  
10 Commission's regulations; and

11 (2) The individual meets the residency, citizenship, and other  
12 nonmedical eligibility requirements established by the Department.

13 (b) (1) The certification of an individual under this section shall be for a  
14 period of 1 year.

15 (2) The certification is renewable after each 1-year period if the  
16 individual meets the requirements of subsection (a) of this section.

17 13-312.

18 The Department may require Program recipients to apply for eligibility in the  
19 Maryland Medical Assistance Program [and], the Medicare Part B Program, AND  
20 THE MEDICARE PART D PROGRAM within 60 days of notification to do so by the  
21 Department.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
23 effect July 1, 2006.