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By: ~~Delegate Hammen~~ Delegates Hammen, 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

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Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Community Health Resources Commission Fund - Mental Health and**  
 3                                   **Substance Abuse Services**

4 FOR the purpose of requiring the Maryland Community Health Resources  
 5 Commission, in developing certain regulations, to give priority to certain  
 6 community health resources that provide a clinical home for certain individuals  
 7 who access hospital emergency departments for certain services; and generally  
 8 relating to the Maryland Community Health Resources Commission.

9 BY repealing and reenacting, with amendments,  
 10 Article - Health - General  
 11 Section 19-2201  
 12 Annotated Code of Maryland  
 13 (2005 Replacement Volume and 2005 Supplement)

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

16                                   **Article - Health - General**

17 19-2201.

18       (a)       In this section, "Fund" means the Community Health Resources  
 19 Commission Fund.

1 (b) There is a Community Health Resources Commission Fund.

2 (c) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302  
3 of the State Finance and Procurement Article.

4 (2) The Treasurer shall hold the Fund separately, and the Comptroller  
5 shall account for the Fund.

6 (d) The Fund consists of:

7 (1) Money collected from a nonprofit health service plan in accordance  
8 with § 14-106.1 of the Insurance Article;

9 (2) Interest earned on investments;

10 (3) Money donated to the Fund;

11 (4) Money awarded to the Fund through grants; and

12 (5) Any other money from any other source accepted for the benefit of  
13 the Fund.

14 (e) (1) The Fund may be used only to:

15 (i) Cover the administrative costs of the Commission;

16 (ii) Cover the actual documented direct costs of fulfilling the  
17 statutory and regulatory duties of the Commission in accordance with the provisions  
18 of this subtitle;

19 (iii) Provide operating grants to qualifying community health  
20 resources; and

21 (iv) Provide funding for the development, support, and monitoring  
22 of a unified data information system among primary and specialty care providers,  
23 hospitals, and other providers of services to community health resource members.

24 (2) The funding for a unified data information system under paragraph  
25 (1)(iv) of this subsection shall be limited to:

26 (i) \$500,000 in fiscal year 2006; and

27 (ii) \$1,700,000 in fiscal year 2007 and annually thereafter.

28 (f) The Commission shall adopt regulations that:

29 (1) Establish the criteria for a community health resource to qualify for a  
30 grant;

31 (2) Establish the procedures for disbursing grants to qualifying  
32 community health resources;

1           (3)     Develop a formula for disbursing grants to qualifying community  
2 health resources; and

3           (4)     Establish criteria and mechanisms for funding a unified data  
4 information system.

5     (g)     In developing regulations under subsection (f)(1) of this section, the  
6 Commission shall:

7           (1)     Consider geographic balance; and

8           (2)     Give priority to community health resources that:

9                   (i)     In addition to normal business hours, have evening and  
10 weekend hours of operation;

11                   (ii)    Have partnered with a hospital to establish a reverse referral  
12 program at the hospital;

13                   (iii)   Reduce the use of the hospital emergency department for  
14 nonemergency services;

15                   (iv)   Assist patients in establishing a medical home with a  
16 community health resource;

17                   (v)     Coordinate and integrate the delivery of primary and specialty  
18 care services;

19                   (vi)   Promote the integration of mental and somatic health with  
20 federally qualified health centers or other somatic care providers;

21                   (vii)   Fund medication management or therapy services for  
22 uninsured individuals up to 200% of the federal poverty level who meet medical  
23 necessity criteria but who are ineligible for the public mental health system;

24                   (viii)   Provide a clinical home for individuals who access hospital  
25 emergency departments for mental health services, SUBSTANCE ABUSE SERVICES, OR  
26 BOTH; and

27                   (ix)    Support the implementation of evidence-based clinical  
28 practices.

29     (h)     Grants awarded to a community health resource under this section may be  
30 used:

31           (1)     To provide operational assistance to a community health resource;  
32 and

33           (2)     For any other purpose the Commission determines is appropriate to  
34 assist a community health resource.

1 (i) (1) The Treasurer shall invest the money in the Fund in the same  
2 manner as other State money may be invested.

3 (2) Any investment earnings of the Fund shall be retained to the credit of  
4 the Fund.

5 (j) The Fund shall be subject to an audit by the Office of Legislative Audits as  
6 provided for in § 2-1220 of the State Government Article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2006.