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By: **Delegate Hubbard**

Introduced and read first time: February 10, 2006

Assigned to: Health and Government Operations

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medicaid Advisory Committee - Membership, Staffing, and**  
3 **Reimbursement**

4 FOR the purpose of altering the membership of the Maryland Medicaid Advisory  
5 Committee; requiring the Secretary of Health and Mental Hygiene to seek  
6 recommendations from certain individuals and groups when selecting consumer  
7 representatives to the Committee; requiring the Department of Health and  
8 Mental Hygiene to staff the Committee; requiring the chair and staff of the  
9 Committee to provide certain information to Committee members at a certain  
10 time and in a certain manner; requiring certain members of the Committee to be  
11 provided a certain stipend under certain circumstances; providing that members  
12 of the Committee are entitled to a certain reimbursement; and generally  
13 relating to the Maryland Medicaid Advisory Committee.

14 BY repealing and reenacting, with amendments,  
15 Article - Health - General  
16 Section 15-103(b)(27)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2005 Supplement)

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

21 **Article - Health - General**

22 15-103.

23 (b) (27) (i) 1. The Department shall establish the Maryland Medicaid  
24 Advisory Committee, composed of no more than 25 members[, the majority of whom  
25 are enrollees or enrollee advocates].

26 2. THE MAJORITY OF THE MEMBERS OF THE COMMITTEE  
27 SHALL BE ENROLLEES OR ENROLLEE ADVOCATES.

1 3. AT LEAST FIVE MEMBERS OF THE COMMITTEE SHALL BE  
2 ENROLLEES.

3 (ii) The Committee members shall include:

4 1. [Current] AT LEAST FIVE CURRENT or former enrollees or  
5 the parents or guardians of current or former enrollees;

6 2. [Providers] NOT MORE THAN FIVE PROVIDERS who are  
7 familiar with the medical needs of low-income population groups, including  
8 board-certified physicians;

9 3. [Hospital] NOT MORE THAN TWO HOSPITAL  
10 representatives;

11 4. [Advocates] AT LEAST FIVE BUT NOT MORE THAN 10  
12 ADVOCATES for the Medicaid population, including representatives of special needs  
13 populations, SUCH AS:

14 A. CHILDREN WITH SPECIAL NEEDS;

15 B. INDIVIDUALS WITH PHYSICAL DISABILITIES;

16 C. INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;

17 D. INDIVIDUALS WITH MENTAL ILLNESS;

18 E. INDIVIDUALS WITH BRAIN INJURIES;

19 F. MEDICAID AND MEDICARE DUAL ELIGIBLES;

20 G. INDIVIDUALS WHO ARE HOMELESS OR HAVE  
21 EXPERIENCED HOMELESSNESS;

22 H. INDIVIDUALS ENROLLED IN HOME- AND  
23 COMMUNITY-BASED SERVICES WAIVERS; AND

24 I. ELDERLY INDIVIDUALS;

25 5. Two members of the Finance Committee of the Senate of  
26 Maryland, appointed by the President of the Senate; and

27 6. Three members of the Maryland House of Delegates,  
28 appointed by the Speaker of the House.

29 (iii) A designee of each of the following shall serve as an ex-officio  
30 member of the Committee:

31 1. The Secretary of Human Resources;

- 1  
2 Commission; and
- 3  
4  
5 the Committee shall:
- 6  
7 and evaluation of managed care programs under this section;
- 8  
9 developed to implement managed care programs under this section;
- 10  
11 in contracts between the Department and managed care organizations;
- 12  
13 oversight of quality assurance standards;
- 14  
15 care organizations participating in the Program and data collected by the Maryland  
16 Health Care Commission;
- 17  
18 performance information, including loss ratios, to enrollees in a manner that  
19 facilitates quality comparisons and uses layman's language;
- 20  
21 process;
- 22  
23  
24 subject to § 2-1246 of the State Government Article, the General Assembly.
- 25  
26 paragraph, the members of the Maryland Medicaid Advisory Committee shall be  
27 appointed by the Secretary and serve for a 4-year term.
- 28  
29 provide for continuity and rotation.
- 30  
31 **(VII) IN APPOINTING CONSUMER MEMBERS TO THE COMMITTEE,  
THE SECRETARY SHALL SEEK RECOMMENDATIONS FROM:**
- 32  
33 ORGANIZATION;
- 34
2. The Executive Director of the Maryland Health Care
  3. The Maryland Association of County Health Officers.
  - (iv) In addition to any duties imposed by federal law and regulation,
    1. Advise the Secretary on the implementation, operation,
    2. Review and make recommendations on the regulations
    3. Review and make recommendations on the standards used
    4. Review and make recommendations on the Department's
    5. Review data collected by the Department from managed
    6. Promote the dissemination of managed care organization
    7. Assist the Department in evaluating the enrollment
    8. Review reports of the ombudsmen; and
    9. Publish and submit an annual report to the Governor and,
  - (v) Except as specified in subparagraphs (ii) and (iii) of this
  - (vi) In making appointments to the Committee, the Secretary shall
  - (VII) **IN APPOINTING CONSUMER MEMBERS TO THE COMMITTEE,  
THE SECRETARY SHALL SEEK RECOMMENDATIONS FROM:**
    1. THE STATE PROTECTION AND ADVOCACY SYSTEM
    2. THE STATEWIDE INDEPENDENT LIVING COUNCIL;

- 1                                   3.       THE DEVELOPMENTAL DISABILITIES COUNCIL;
- 2                                   4.       THE DEPARTMENT OF DISABILITIES;
- 3                                   5.       THE DEPARTMENT OF AGING;
- 4                                   6.       CONSUMER ADVOCACY ORGANIZATIONS; AND
- 5                                   7.       THE PUBLIC.

6                                   [(vii)]   (VIII)   The Secretary shall appoint the [chairman] CHAIR of the  
7 Committee.

8                                   [(viii)]   (IX)    The Secretary shall appoint nonvoting members from  
9 managed care organizations who may participate in Committee meetings, unless the  
10 Committee meets in closed session as provided in § 10-508 of the State Government  
11 Article.

12                                   (X)       THE DEPARTMENT SHALL PROVIDE STAFF FOR THE  
13 COMMITTEE.

14                                   [(ix)]    (XI)    The Committee shall determine the times and places of  
15 its meetings.

16                                   (XII)   1.       THE CHAIR OF THE COMMITTEE AND THE STAFF FOR THE  
17 COMMITTEE SHALL PROVIDE THE AGENDA, MINUTES, AND ANY WRITTEN  
18 MATERIALS TO BE PRESENTED OR DISCUSSED AT A MEETING TO THE MEMBERS OF  
19 THE COMMITTEE AT LEAST 10 DAYS PRIOR TO THE MEETING.

20                                   2.       THE AGENDA, MINUTES, AND WRITTEN MATERIALS SHALL  
21 BE PROVIDED TO MEMBERS OF THE COMMITTEE IN A MANNER AND FORMAT THAT IS  
22 PREFERRED BY EACH MEMBER AND THAT ACCOMMODATES THE SPECIFIC NEEDS OF  
23 THE MEMBER.

24                                   [(x)]    (XIII) 1.       [A] EXCEPT AS PROVIDED IN SUBSUBPARAGRAPHS  
25 2 AND 3 OF THIS SUBPARAGRAPH, a member of the Committee:

26                                   [1.]     A.       May not receive compensation; but

27                                   [2.]     B.       Is entitled to reimbursement for expenses under the  
28 Standard State Travel Regulations, as provided in the State budget.

29                                   2.       A MEMBER OF THE COMMITTEE WHO IS AN ENROLLEE  
30 SHALL BE PROVIDED A STIPEND, IF THE INDIVIDUAL SO CHOOSES, FOR THE TIME  
31 NEEDED BY THE MEMBER TO PREPARE TO PARTICIPATE IN THE MEETINGS IN A  
32 MEANINGFUL MANNER.

33                                   3.       A MEMBER OF THE COMMITTEE IS ENTITLED TO  
34 REIMBURSEMENT FOR EXPENSES FOR DEPENDENT CARE, OVERNIGHT  
35 ACCOMMODATIONS IF TRAVELING MORE THAN 3 HOURS FROM HOME, PERSONAL  
36 CARE, AND COGNITIVE SUPPORTS.

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