
By: **Senators Lawlah, Della, Hafer, Hogan, Kasemeyer, Kelley, Klausmeier,
Middleton, and Teitelbaum**

Introduced and read first time: February 2, 2006

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene - Developmental Disabilities and**
3 **Mental Health Services - Cost-of-Living Adjustment**

4 FOR the purpose of requiring that in certain fiscal years the fees paid by the
5 Department of Health and Mental Hygiene to a community developmental
6 disabilities services provider or a community mental health services provider for
7 providing certain services be adjusted annually by a certain rate of change as
8 recommended by the Community Services Reimbursement Rate Commission;
9 prohibiting the annual rate of change from exceeding a certain maximum rate;
10 defining certain terms; and generally relating to the Department of Health and
11 Mental Hygiene and fees paid to community developmental disabilities and
12 mental health services providers.

13 BY adding to
14 Article - Health - General
15 Section 16-201.2
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:

20 **Article - Health - General**

21 16-201.2.

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (2) "COMMUNITY DEVELOPMENTAL DISABILITIES SERVICES PROVIDER"
25 MEANS A COMMUNITY-BASED DEVELOPMENTAL DISABILITIES PROGRAM LICENSED
26 BY THE DEPARTMENT.

1 (3) "COMMUNITY MENTAL HEALTH SERVICES PROVIDER" MEANS A
2 COMMUNITY-BASED MENTAL HEALTH PROGRAM APPROVED BY THE DEPARTMENT
3 OR AN INDIVIDUAL PRACTITIONER WHO CONTRACTS WITH THE DEPARTMENT OR
4 THE APPROPRIATE CORE SERVICE AGENCY.

5 (4) "CORE SERVICE AGENCY" HAS THE MEANING STATED IN § 10-1201 OF
6 THIS ARTICLE.

7 (5) "ELIGIBLE INDIVIDUAL" MEANS A MEDICAID RECIPIENT OR AN
8 INDIVIDUAL WHO RECEIVES DEVELOPMENTAL DISABILITIES SERVICES OR MENTAL
9 HEALTH SERVICES SUBSIDIZED IN WHOLE OR IN PART BY THE STATE.

10 (B) NOTWITHSTANDING THE PROVISIONS OF THIS SUBTITLE, THE
11 DEPARTMENT SHALL REIMBURSE A COMMUNITY DEVELOPMENTAL DISABILITIES
12 SERVICES PROVIDER OR A COMMUNITY MENTAL HEALTH SERVICES PROVIDER FOR
13 APPROVED SERVICES RENDERED TO AN ELIGIBLE INDIVIDUAL AS PROVIDED IN THIS
14 SECTION.

15 (C) (1) BEGINNING IN FISCAL YEAR 2008 AND IN EACH FISCAL YEAR
16 THEREAFTER, THE DEPARTMENT SHALL ADJUST FOR INFLATION THE FEES PAID TO
17 A COMMUNITY DEVELOPMENTAL DISABILITIES SERVICES PROVIDER AND A
18 COMMUNITY MENTAL HEALTH SERVICES PROVIDER FOR APPROVED SERVICES
19 RENDERED TO AN ELIGIBLE INDIVIDUAL.

20 (2) THE FEES SHALL BE ADJUSTED USING THE UPDATE FACTOR
21 RECOMMENDED BY THE COMMUNITY SERVICES REIMBURSEMENT RATE
22 COMMISSION.

23 (3) THE ANNUAL RATE OF CHANGE FOR THE FEES MAY NOT EXCEED A
24 MAXIMUM RATE OF 5%.

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