
By: **Senator Kelley**

Introduced and read first time: February 3, 2006

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Psychiatric Residential Treatment Demonstration Waiver Application**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to apply
4 for a certain waiver under certain circumstances; requiring a certain waiver
5 application to provide for services for a certain number of individuals; providing
6 that certain funds shall be certified or otherwise provided by certain
7 departments; requiring the Department to report to the General Assembly at
8 certain times concerning the status of a certain application; and generally
9 relating to a psychiatric residential treatment demonstration waiver.

10 BY adding to

11 Article - Health - General

12 Section 15-130.1

13 Annotated Code of Maryland

14 (2005 Replacement Volume and 2005 Supplement)

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

17 **Article - Health - General**

18 15-130.1.

19 (A) THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR MEDICARE AND
20 MEDICAID SERVICES OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN
21 SERVICES FOR A PSYCHIATRIC RESIDENTIAL TREATMENT DEMONSTRATION WAIVER
22 IF THE CENTERS ANNOUNCE IN THE FEDERAL REGISTER THAT THE CENTERS ARE
23 ACCEPTING APPLICATIONS FOR SUCH A WAIVER.

24 (B) THE WAIVER APPLICATION REQUIRED BY SUBSECTION (A) OF THIS
25 SECTION SHALL:

26 (1) PROVIDE FOR SERVICES FOR A MINIMUM OF 150 INDIVIDUALS; OR

27 (2) PROVIDE FOR SERVICES FOR THE MAXIMUM NUMBER OF
28 INDIVIDUALS THAT THE CENTERS FOR MEDICARE AND MEDICAID SERVICES

1 ALLOWS, IF THE MAXIMUM NUMBER OF INDIVIDUALS THAT THE CENTERS ALLOW TO
2 RECEIVE SERVICES UNDER THE WAIVER IS FEWER THAN 150 INDIVIDUALS.

3 (C) THE STATE MATCHING FUNDS REQUIRED TO COVER THE MEDICAID COSTS
4 UNDER THE WAIVER APPLICATION REQUIRED UNDER THIS SECTION SHALL BE
5 CERTIFIED OR OTHERWISE PROVIDED BY THE MENTAL HYGIENE ADMINISTRATION
6 IN THE DEPARTMENT, THE DEPARTMENT OF HUMAN RESOURCES, THE DEPARTMENT
7 OF JUVENILE SERVICES, AND THE GOVERNOR'S OFFICE FOR CHILDREN.

8 (D) THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN
9 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, EVERY 6
10 MONTHS CONCERNING THE STATUS OF THE DEPARTMENT'S APPLICATION REQUIRED
11 UNDER THIS SECTION UNTIL THE WAIVER IS APPROVED OR DENIED.

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