

---

By: **Senators Hafer and Kelley**

Introduced and read first time: February 3, 2006

Assigned to: Finance

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2006

---

CHAPTER\_\_\_\_\_

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~~; providing that members of the Committee are  
12 entitled to a certain reimbursement; requiring the Department of Health and  
13 Mental Hygiene to provide for a certain dedicated staff person for certain  
14 purposes under certain circumstances; and generally relating to the Maryland  
15 Medicaid Advisory Committee.

16 BY repealing and reenacting, with amendments,  
17 Article - Health - General  
18 Section 15-103(b)(27)  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2005 Supplement)

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

1 **Article - Health - General**

2 15-103.

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

6 2. THE MAJORITY OF THE MEMBERS OF THE COMMITTEE  
7 SHALL BE ENROLLEES OR ENROLLEE ADVOCATES.

8 3. AT LEAST FIVE MEMBERS OF THE COMMITTEE SHALL BE  
9 ENROLLEES REPRESENTATIVE OF THE ENTIRE MEDICAID POPULATION.

10 (ii) The Committee members shall include:

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

13 2. ~~{Providers} NOT MORE THAN FIVE PROVIDERS~~ who are  
14 familiar with the medical needs of low-income population groups, including  
15 board-certified physicians;

16 3. ~~{Hospital} NOT MORE THAN TWO HOSPITAL~~  
17 representatives;

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

21 A. CHILDREN WITH SPECIAL NEEDS;

22 B. INDIVIDUALS WITH PHYSICAL DISABILITIES;

23 C. INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;

24 D. INDIVIDUALS WITH MENTAL ILLNESS;

25 E. INDIVIDUALS WITH BRAIN INJURIES;

26 F. MEDICAID AND MEDICARE DUAL ELIGIBLES;

27 G. INDIVIDUALS WHO ARE HOMELESS OR HAVE  
28 EXPERIENCED HOMELESSNESS;

29 H. INDIVIDUALS ENROLLED IN HOME- AND  
30 COMMUNITY-BASED SERVICES WAIVERS; ~~AND~~

31 I. ELDERLY INDIVIDUALS;



1 9. Publish and submit an annual report to the Governor and,  
2 subject to § 2-1246 of the State Government Article, the General Assembly.

3 (v) Except as specified in subparagraphs (ii) and (iii) of this  
4 paragraph, the members of the Maryland Medicaid Advisory Committee shall be  
5 appointed by the Secretary and serve for a 4-year term.

6 (vi) In making appointments to the Committee, the Secretary shall  
7 provide for continuity and rotation.

8 (VII) IN APPOINTING CONSUMER MEMBERS TO THE COMMITTEE,  
9 THE SECRETARY SHALL SEEK RECOMMENDATIONS FROM:

- 10 1. THE STATE PROTECTION AND ADVOCACY SYSTEM  
11 ORGANIZATION;
- 12 2. THE STATEWIDE INDEPENDENT LIVING COUNCIL;
- 13 3. THE DEVELOPMENTAL DISABILITIES COUNCIL;
- 14 4. THE DEPARTMENT OF DISABILITIES;
- 15 5. THE DEPARTMENT OF AGING;
- 16 6. CONSUMER ADVOCACY ORGANIZATIONS; AND
- 17 7. THE PUBLIC.

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

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

24 (X) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE  
25 COMMITTEE.

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

28 (XII) 1. THE CHAIR OF THE COMMITTEE AND THE STAFF FOR THE  
29 COMMITTEE SHALL PROVIDE THE AGENDA, MINUTES, AND ANY WRITTEN  
30 MATERIALS TO BE PRESENTED OR DISCUSSED AT A MEETING TO THE MEMBERS OF  
31 THE COMMITTEE AT LEAST ~~40~~ 5 DAYS PRIOR TO THE MEETING.

32 2. THE AGENDA, MINUTES, AND WRITTEN MATERIALS SHALL  
33 BE PROVIDED TO MEMBERS OF THE COMMITTEE IN A MANNER AND FORMAT THAT ~~IS~~  
34 ~~PREFERRED BY EACH MEMBER AND THAT~~ REASONABLY ACCOMMODATES THE  
35 SPECIFIC NEEDS OF THE MEMBER.

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

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

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

6                                    ~~2.    A MEMBER OF THE COMMITTEE WHO IS AN ENROLLEE~~  
7 ~~SHALL BE PROVIDED A STIPEND FOR THE TIME NEEDED BY THE MEMBER TO~~  
8 ~~PREPARE TO PARTICIPATE IN THE MEETINGS.~~

9                                    ~~3.    A MEMBER OF THE COMMITTEE IS ENTITLED TO~~  
10 ~~REIMBURSEMENT FOR EXPENSES FOR DEPENDENT CARE, OVERNIGHT~~  
11 ~~ACCOMMODATIONS IF TRAVELING MORE THAN 3 HOURS FROM HOME, PERSONAL~~  
12 ~~CARE, AND COGNITIVE SUPPORTS.~~

13                                    2.    A MEMBER OF THE COMMITTEE WHO IS AN ENROLLEE IS  
14 ENTITLED TO REIMBURSEMENT FOR:

15                                    A.    EXPENSES FOR PERSONAL AND DEPENDENT CARE  
16 INCURRED DURING THE MEETING AND DURING TRAVEL TIME TO AND FROM THE  
17 MEETING;

18                                    B.    EXPENSES FOR COGNITIVE SUPPORTS RELATED TO THE  
19 MEETING; AND

20                                    C.    APPROPRIATE TRANSPORTATION TO AND FROM THE  
21 MEETING.

22                                    3.    ON REQUEST, THE DEPARTMENT SHALL PROVIDE FOR A  
23 DEDICATED DEPARTMENT STAFF PERSON:

24                                    A.    TO REVIEW MEETING MATERIALS WITH ENROLLEE  
25 MEMBERS IN ADVANCE OF A MEETING BY TELEPHONE OR IN PERSON; AND

26                                    B.    TO PROVIDE REFERRALS TO ADVOCACY ORGANIZATIONS.

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