

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 754
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Aumann,”; in the same line, strike “Elliott,”; and in the same line, strike “and Weldon” and substitute “Lee, Valderrama, and V. Turner”.

On pages 1 and 2, strike beginning with “establishing” in line 15 on page 1 down through “plan;” in line 5 on page 2 and substitute “authorizing the State Health Services Cost Review Commission to assess a certain amount in hospital rates; requiring the Commission to determine certain savings in a certain manner; requiring each hospital to remit a certain assessment to the Health Care Coverage Fund;”.

On page 2, in lines 5 and 6, strike “State Health Services Cost Review”; in line 8, after “the” insert “Board of Directors for the”; in line 9, strike “Fund”; in line 11, after “Fund;” insert “altering the allocation of certain revenue of the Maryland Health Care Provider Rate Stabilization Fund; requiring the Maryland Insurance Commissioner to allocate certain revenue to the Health Care Coverage Fund in a certain fiscal year;”; in the same line, after “the” insert “Maryland Health Care Provider Rate Stabilization”; in line 12, after “Fund” insert “at the end of certain fiscal years to be transferred to the Health Care Coverage Fund; requiring any unspent amounts in the Rate Stabilization Account”; strike beginning with “requiring” in line 13 down through “Act;” in line 15; strike beginning with “altering” in line 18 down through “time;” in line 22 and substitute “authorizing an insured to elect to continue coverage under certain policies or contracts for a child dependent under certain circumstances; specifying when the continuation of coverage begins and ends; limiting the amount of any premium charged for the continuation of coverage;”; strike beginning with “authorizing” in line 23 down through “circumstances;” in line 31; strike beginning with “requiring” in line 37 down through “exchange;” in line 40; and strike beginning with “prohibiting” in line 42 down through “waiver;” in line 43.

(Over)

On page 3, in line 1, after “Commission” insert “, in consultation with the Maryland Insurance Administration,”; strike beginning with “authorizing” in line 3 down through “Fund;” in line 5; strike beginning with “requiring” in line 6 down through “purpose;” in line 7; in line 8, after “Act;” insert “making certain provisions of this Act contingent on the taking effect of another Act; establishing certain methods for collecting certain tobacco taxes; authorizing certain funds to be appropriated and transferred by budget amendment from the Health Care Coverage Fund in a certain fiscal year; requiring the State Health Services Cost Review Commission and the Department of Health and Mental Hygiene to develop a mechanism to calculate the amount of certain hospital uncompensated care; requiring the Board of Directors for the Maryland Health Insurance Plan to transfer certain funds by budget amendment;”; strike beginning with “providing” in line 8 down through “Act;” in line 10; in line 12, after “Department” insert “of Health and Mental Hygiene”; in line 14, strike “Maryland Health Care Coverage Act” and substitute “Children and Working Families Health Care Act of 2007”; strike beginning with “15–801” in line 28 down through “Program;” in line 29; in line 35, strike “15–1201(a),”; and in the same line, strike “and (b)”.

On page 4, in line 2, strike “15–1205, 15–1301(f)(1),”; in the same line, strike “19–803(c)” and substitute “19–803(b) and (c)”; in line 7, strike “and 15–1201(r)”; strike in their entirety lines 10 through 15, inclusive; in line 23, strike “, 10–910(b),”; and in line 28, strike “and 10–106.2”.

AMENDMENT NO. 2

On page 6, in line 7, strike “**SHALL**” and substitute “**BEGINNING ON JANUARY 1, 2008, SHALL**”; and in line 14, strike “**SHALL**” and substitute “**BEGINNING ON OCTOBER 1, 2008, SHALL**”.

AMENDMENT NO. 3

On page 9, strike in their entirety lines 25 and 26.

On page 10, in lines 1, 3, 6, 9, and 11, strike “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 1, strike “ANY MONEYS” and substitute “\$75,000,000”; in lines 3 and 6, in each instance, strike “ANY MONEYS” and substitute “MONEYS”; and in line 6, after “THE” insert “STATE”.

AMENDMENT NO. 4

On page 11, in line 6, after “GUIDELINES;” insert “AND”; and strike in their entirety lines 7 through 10, inclusive, and substitute:

“(4) IN ACCORDANCE WITH SUBSECTION (J) OF THIS SECTION, PROVIDING AN OPERATING GRANT APPROPRIATION TO THE PRINCE GEORGE’S COUNTY HOSPITAL AUTHORITY.”

On pages 11 and 12, strike in their entirety the lines beginning with line 13 on page 11 through line 4 on page 12, inclusive, and substitute:

“(J) IN FISCAL YEARS 2008 THROUGH 2012, UP TO \$10,000,000 ANNUALLY MAY BE TRANSFERRED FROM THE FUND TO THE DEPARTMENT FOR THE PURPOSE OF PROVIDING A SPECIAL FUND OPERATING GRANT APPROPRIATION TO PRINCE GEORGE’S COUNTY HOSPITAL AUTHORITY.”

AMENDMENT NO. 5

On pages 12 through 14, strike in their entirety the lines beginning with line 10 on page 12 through line 17 on page 14, inclusive.

AMENDMENT NO. 6

On page 14, in line 20, strike “(S.B. __/ H.B. __)” and substitute “(H.B. 754)”; after line 23, insert:

“(2) THE COMMISSION SHALL DETERMINE THE SAVINGS IN AVERTED UNCOMPENSATED CARE FOR EACH HOSPITAL INDIVIDUALLY.”;

and in line 24, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 7

On page 16, in line 18, after “(1)” insert “(I)”; in lines 19 and 20, strike “: (I)”; in line 22, strike “subtitle; AND” and substitute “**SUBTITLE.**”; in line 23, after “(II)” insert “**THE BOARD**”; and strike beginning with “TO” in line 26 down through “**FUND**” in line 27.

AMENDMENT NO. 8

On page 19, in line 1, strike “\$25,000,000” and substitute “**\$15,000,000**”; in line 2, strike “and”; after line 2, insert:

“2. \$10,000,000 TO THE HEALTH CARE COVERAGE FUND UNDER TITLE 15, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE TO PAY FOR ANY PURPOSE ELIGIBLE FOR SUPPORT BY THE HEALTH CARE COVERAGE FUND; AND”;

and in line 3, strike “2.” and substitute “**3.**”.

On page 20, in line 12, after “THE” insert “**HEALTH CARE COVERAGE**”; and after line 27, insert:

“(3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, ANY UNSPENT AMOUNTS REMAINING IN THE RATE STABILIZATION ACCOUNT AT THE END OF FISCAL YEAR 2007 SHALL BE TRANSFERRED TO THE HEALTH CARE COVERAGE FUND UNDER TITLE 15, SUBTITLE 7 OF THE HEALTH – GENERAL ARTICLE.”

AMENDMENT NO. 9

On pages 20 through 22, strike in their entirety the lines beginning with line 31 on page 20 through line 2 on page 22, inclusive.

On page 22, in line 14, strike “\$275,000,000” and substitute “\$289,000,000”; and in the same line, after “Fund” insert “of”.

AMENDMENT NO. 10

On page 23, in line 3, strike the brackets; in the same line, strike “25%”; after line 18, insert:

“(3) “CHILD DEPENDENT” MEANS AN INDIVIDUAL WHO:

(I) IS:

1. THE NATURAL CHILD, STEP-CHILD, ADOPTED CHILD, OR GRANDCHILD OF THE INSURED; OR

2. A CHILD PLACED WITH THE INSURED FOR LEGAL ADOPTION;

(II) IS A DEPENDENT OF THE INSURED AS THAT TERM IS USED IN 26 U.S.C. §§ 104, 105, AND 106, AND ANY REGULATIONS ADOPTED UNDER THOSE SECTIONS;

(III) HAS REACHED THE DATE ON WHICH COVERAGE WOULD HAVE TERMINATED BECAUSE OF THE LIMITING AGE SPECIFIED IN A POLICY OR CONTRACT TO WHICH THIS SECTION APPLIES;

(IV) HAS HAD CONTINUOUS COVERAGE FOR AT LEAST 2 YEARS IMMEDIATELY PRIOR TO REACHING THE LIMITING AGE; AND

(V) IS NOT ENTITLED TO COVERAGE UNDER ANY OTHER PROVISION OF THIS ARTICLE.”;

and in line 19, strike “(3)” and substitute “(4)”.

On pages 23 and 24, strike in their entirety the lines beginning with line 22 on page 23 through line 8 on page 24, inclusive, and substitute:

“(B) (1) THIS SECTION APPLIES TO:

(I) EACH POLICY OF INDIVIDUAL OR GROUP HEALTH INSURANCE THAT IS ISSUED IN THE STATE;

(II) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A NONPROFIT HEALTH SERVICE PLAN; AND

(III) EACH CONTRACT THAT IS ISSUED IN THE STATE BY A HEALTH MAINTENANCE ORGANIZATION.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THIS SECTION DOES NOT APPLY TO:”;

and in lines 9, 11, 13, 14, 15, 16, 18, 19, 20, 21, and 23, strike “1.”, “A.”, “B.”, “C.”, “D.”, “2.”, “A.”, “B.”, “C.”, “D.”, and “E.”, respectively, and substitute “(I)”, “1.”, “2.”, “3.”, “4.”, “(II)”, “1.”, “2.”, “3.”, “4.”, and “5.”, respectively.

On page 25, strike in their entirety lines 1 through 12, inclusive, and substitute:

“(C) NOTWITHSTANDING ANY LIMITING AGE STATED IN A POLICY OR CONTRACT SUBJECT TO THIS SECTION, AN INSURED MAY ELECT TO CONTINUE COVERAGE UNDER THE POLICY OR CONTRACT FOR A CHILD DEPENDENT.

“(D) CONTINUATION OF COVERAGE UNDER THIS SECTION SHALL BEGIN ON THE DATE ON WHICH COVERAGE FOR THE CHILD DEPENDENT WOULD HAVE TERMINATED BECAUSE OF THE LIMITING AGE AND END ON THE EARLIEST OF:”;

in lines 13, 15, 17, and 21, in each instance, after “CHILD” insert “**DEPENDENT**”; in line 19, strike “**DEPENDENT CHILD**” and substitute “**CHILD DEPENDENT**”; in line 22, strike “**PARENT TERMINATES COVERAGE**” and substitute “**PARENT’S COVERAGE IS TERMINATED**”; after line 22, insert:

“(E) ANY PREMIUM CHARGED FOR THE CONTINUATION OF COVERAGE PROVIDED UNDER THIS SECTION MAY NOT EXCEED THE AMOUNT WHICH, UNDER THE POLICY OR CONTRACT, THE CARRIER MAY CHARGE IN PREMIUM FOR COVERAGE PROVIDED TO A CHILD WHO IS A DEPENDENT OF THE INSURED AND HAS NOT REACHED THE LIMITING AGE.”;

and strike in their entirety lines 23 through 25, inclusive.

AMENDMENT NO. 11

On pages 25 through 27, strike in their entirety the lines beginning with line 26 on page 25 through line 10 on page 27, inclusive.

AMENDMENT NO. 12

On pages 27 through 32, strike in their entirety the lines beginning with line 11 on page 27 through line 3 on page 32, inclusive.

On page 32, in lines 4 and 23, strike “4.” and “5.”, respectively, and substitute “3.” and “4.”, respectively.

AMENDMENT NO. 13

On page 33, in line 15, strike “6.” and substitute “5.”; in line 25, strike the second “and”; and in line 26, after “education” insert “, and use of advance directives”.

On page 34, strike in their entirety lines 5 through 17, inclusive; in lines 18 and 28, strike “8.” and “9.”, respectively, and substitute “6.” and “7.”, respectively; and in line 29, after “Commission” insert “, in consultation with the Maryland Insurance Administration,”.

On page 35, in line 15, after “producers” insert “, including the services provided by licensed health insurance producers”; in line 19, strike “and”; after line 19, insert:

“(13) the relationship of the Consumer Education and Advocacy Program established under Title 2, Subtitle 3 of the Insurance Article to an exchange, including the need to expand the Program to provide additional information to consumers regarding health insurance; and”;

in line 20, strike “(13)” and substitute “(14)”; and in line 26, strike “10.” and substitute “8.”.

AMENDMENT NO. 14

On page 36, after line 2, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That the provisions of § 15–701(h)(4) and (j) of the Health – General Article, as enacted by Section 1 of this Act, shall be contingent on the taking effect of Chapter _____ (H.B. 510) of the Acts of the General Assembly of 2007, and if Chapter _____ does not become effective, § 15–701(h)(4) and (j) shall be null and void without the necessity of further action by the General Assembly.”;

strike in their entirety lines 3 through 8, inclusive, and substitute:

“SECTION 10. AND BE IT FURTHER ENACTED, That all cigarettes used, possessed, or held in the State on or after June 1, 2007, by any person for sale or use in the State, shall be subject to the full tobacco tax of \$2 on cigarettes imposed by this Act. This requirement includes: (1) cigarettes in vending machines or other mechanical dispensers; and (2) cigarettes (generally referred to as “floor stock”) in packages which already bear stamps issued by the Comptroller under the State Tobacco Tax Act but for an amount less than the full tax imposed of \$1 for each 10 cigarettes or fractional part thereof; all cigarettes held for sale by any person in the State on or after June 1, 2007, that bear a stamp issued by the Comptroller of a value less than \$2 for each pack of 20 cigarettes must be stamped with the additional stamps necessary to make the aggregate tax value equal to \$2. The Comptroller may provide an alternative method of collecting the additional tax. The revenue attributable to this requirement shall be remitted to the Comptroller by September 30, 2007. Except as otherwise provided in this Section, on or after June 1, 2007, no Maryland stamp shall be used except the stamp issued by the Comptroller to evidence the tobacco tax on cigarettes of \$2 imposed by this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That, for fiscal year 2008, funds may be appropriated and transferred by budget amendment from the Health Care Coverage Fund established under Section 1 of this Act for the expansion of eligibility for the Maryland Medical Assistance Program and the Maryland Children’s Health Program, as enacted under Section 1 of this Act.

SECTION 12. AND BE IT FURTHER ENACTED, That the State Health Services Cost Review Commission and the Department of Health and Mental Hygiene shall develop a mechanism to calculate the amount of averted hospital uncompensated care resulting from the expansion of eligibility for the Maryland Medical Assistance Program and the Maryland Children’s Health Program, as enacted under Section 1 of this Act.

(Over)

SECTION 13. AND BE IT FURTHER ENACTED, That the Board of Directors for the Maryland Health Insurance Plan shall transfer \$75,000,000 by budget amendment from the Maryland Health Insurance Plan Fund to the Health Care Coverage Fund established under Section 1 of this Act to be used only for expansion of the Maryland Medical Assistance Program under § 15-103(a)(2)(ix) and (x) of the Health – General Article, as enacted by Section 1 of this Act.”;

in line 9, strike “13.” and substitute “14.”; in line 10, strike “8, 10, and 12” and substitute “6 and 8”; and in the same line, strike “July 1,” and substitute “June 1.”.