

HOUSE BILL 997

C3, J1

71r1198

By: **Delegates Valderrama, Ali, Ivey, Kramer, Lee, and Rice**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Children's Health Program – Expansion of Eligibility**

3 FOR the purpose of altering the income eligibility requirements for the Maryland
4 Children's Health Program; authorizing the Department of Health and Mental
5 Hygiene to determine the amount of a certain family contribution; repealing
6 provisions of law that require the Department to set certain family
7 contributions at certain amounts; requiring the Department to provide a certain
8 report to certain committees of the General Assembly on or before a certain
9 date; altering a certain definition; making certain technical changes; and
10 generally relating to the Maryland Children's Health Program.

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 15–301 and 15–301.1
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2006 Supplement)

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

18 **Article – Health – General**

19 15–301.

20 (a) There is a Maryland Children's Health Program.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The Maryland Children's Health Program shall provide, subject to the
2 limitations of the State budget and any other requirements imposed by the State and
3 as permitted by federal law or waiver, comprehensive medical care and other health
4 care services to an individual who has a family income at or below [300 percent] **400%**
5 of the federal poverty guidelines and who is under the age of 19 years.

6 (c) The Maryland Children's Health Program shall be administered:

7 (1) [Except as provided in item (3) of this subsection, for] **FOR**
8 individuals whose family income is at or below [200 percent] **200%** of the federal
9 poverty guidelines, through the Program under Subtitle 1 of this title requiring
10 individuals to enroll in managed care organizations; **OR**

11 (2) For eligible individuals whose family income is above [200 percent]
12 **200%**, but at or below [300 percent] **400%** of the federal poverty guidelines, through
13 the MCHP premium plan under § 15-301.1 of this subtitle[; or

14 (3) In fiscal year 2004 only, for eligible individuals whose family
15 income is above 185 percent, but at or below 300 percent of the federal poverty
16 guidelines, through the MCHP premium plan under § 15-301.1 of this subtitle].

17 (d) (1) The Department shall provide eligible individuals and health care
18 providers with an accurate directory or other listing of all available providers:

19 (i) In written form, made available upon request; and

20 (ii) On an Internet database.

21 (2) The Department shall update the Internet database at least every
22 30 days.

23 (3) The written directory shall include a conspicuous reference to the
24 Internet database.

25 15-301.1.

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) "Eligible individual" means an individual who qualifies to
28 participate in the Maryland Children's Health Program under § 15-301(b) of this
29 subtitle **AND WHOSE FAMILY INCOME IS ABOVE 200% BUT AT OR BELOW 400% OF**
30 **THE FEDERAL POVERTY GUIDELINES.**

1 (3) “Family contribution” means the portion of the premium cost paid
2 for an eligible individual to enroll and participate in the Maryland Children’s Health
3 Program.

4 (4) “MCHP premium plan” means the plan established under this
5 section to provide access to health insurance coverage to eligible individuals through
6 managed care organizations under the Maryland Children’s Health Program.

7 [(b) Except as provided in subsection (c) of this section, this section applies
8 only to individuals whose family income is above 200 percent, but at or below 300
9 percent of the federal poverty guidelines.]

10 [(c) **(B)** [(1) As a requirement of enrollment and participation in the MCHP
11 premium plan, the parent or guardian of an eligible individual shall agree to pay [the
12 following] **AN** annual family contribution **DETERMINED BY THE DEPARTMENT**
13 **THAT:**

14 **(1) IS REASONABLE;**

15 **(2) IS BASED ON FAMILY INCOME; AND**

16 **(3) ENCOURAGES ENROLLMENT OF ALL ELIGIBLE INDIVIDUALS[:**

17 (i) In fiscal year 2004 only, for an eligible individual whose
18 family income is above 185 percent, but at or below 200 percent of the federal poverty
19 guidelines, an amount equal to 2 percent of the annual income of a family of two at
20 185 percent of the federal poverty guidelines;

21 (ii) For an eligible individual whose family income is above 200
22 percent, but at or below 250 percent of the federal poverty guidelines, an amount equal
23 to 2 percent of the annual income of a family of two at 200 percent of the federal
24 poverty guidelines; and

25 (iii) For an eligible individual whose family income is above 250
26 percent, but at or below 300 percent of the federal poverty guidelines, an amount equal
27 to 2 percent of the annual income of a family of two at 250 percent of the federal
28 poverty guidelines.

1 (2) The family contribution amounts required under paragraph (1) of
2 this subsection apply on a per family basis regardless of the number of eligible
3 individuals each family has enrolled in the MCHP premium plan].

4 [(d)](C) The Department shall adopt regulations necessary to implement
5 this section.

6 SECTION 2. AND BE IT FURTHER ENACTED, That on or before July 1, 2008,
7 the Department of Health and Mental Hygiene shall report to the Senate Budget and
8 Taxation Committee, the Senate Finance Committee, the House Appropriations
9 Committee, and the House Health and Government Operations Committee, in
10 accordance with § 2-1246 of the State Government Article, on:

11 (1) the number of individuals who have enrolled in the Maryland Children's
12 Health Program with an annual household income above 300% but at or below 400% of
13 the federal poverty guidelines; and

14 (2) the effect of the Department's determination of the amount of the annual
15 family contribution on the enrollment of eligible individuals.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2007.