

SENATE BILL 547

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71r2364

By: **Senators McFadden, Britt, Conway, Dyson, Forehand, Jones, Lenett, Madaleno, Pinsky, Raskin, Robey, and Zirkin**

Introduced and read first time: February 2, 2007

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program and Maryland Children's Health**
3 **Program – Eligibility**

4 FOR the purpose of expanding eligibility under the Maryland Medical Assistance
5 Program to certain parents having incomes at or below certain levels, subject to
6 certain limitations; requiring the Department of Health and Mental Hygiene to
7 provide guaranteed eligibility to certain enrollees in managed care
8 organizations in the Maryland Children's Health Program for a certain time
9 period under certain circumstances; altering the time period in which the
10 Department is authorized to provide guaranteed eligibility to certain enrollees
11 in managed care organizations in the Maryland Medical Assistance Program
12 and the Maryland Children's Health Program under certain circumstances; and
13 generally relating to eligibility in the Maryland Medical Assistance Program
14 and the Maryland Children's Health Program.

15 BY repealing and reenacting, without amendments,
16 Article – Health – General
17 Section 15–101(h) and 15–103(b)(1)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2006 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Health – General
22 Section 15–103(a) and (b)(3)
23 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2005 Replacement Volume and 2006 Supplement)

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

Article – Health – General

15–101.

(h) “Program” means the Maryland Medical Assistance Program.

15–103.

(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.

(2) The Program:

(i) Subject to the limitations of the State budget, shall provide medical and other health care services for indigent individuals or medically indigent individuals or both;

(ii) Shall provide, subject to the limitations of the State budget, comprehensive medical and other health care services for all eligible pregnant women whose family income is at or below 250 percent of the poverty level, as permitted by the federal law;

(iii) Shall provide, subject to the limitations of the State budget, comprehensive medical and other health care services for all eligible children currently under the age of 1 whose family income falls below 185 percent of the poverty level, as permitted by federal law;

(iv) Shall provide, subject to the limitations of the State budget, family planning services to women currently eligible for comprehensive medical care and other health care under item (ii) of this paragraph for 5 years after the second month following the month in which the woman delivers her child;

(v) Shall provide, subject to the limitations of the State budget, comprehensive medical and other health care services for all children from the age of 1 year up through and including the age of 5 years whose family income falls below 133 percent of the poverty level, as permitted by the federal law;

(vi) Shall provide, subject to the limitations of the State budget, comprehensive medical care and other health care services for all children who are at least 6 years of age but are under 19 years of age whose family income falls below 100 percent of the poverty level, as permitted by federal law;

(vii) Shall provide, subject to the limitations of the State budget, comprehensive medical care and other health care services for all legal immigrants who meet Program eligibility standards and who arrived in the United States before August 22, 1996, the effective date of the federal Personal Responsibility and Work Opportunity Reconciliation Act, as permitted by federal law;

(viii) Shall provide, subject to the limitations of the State budget and any other requirements imposed by the State, comprehensive medical care and other health care services for all legal immigrant children under the age of 18 years and pregnant women who meet Program eligibility standards and who arrived in the United States on or after August 22, 1996, the effective date of the federal Personal Responsibility and Work Opportunity Reconciliation Act;

(IX) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, AND AS ALLOWED BY FEDERAL LAW, COMPREHENSIVE MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR ALL PARENTS:

1. WHO HAVE A DEPENDENT CHILD LIVING WITH THEM; AND

2. WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR BELOW 200 PERCENT OF THE POVERTY LEVEL, AS PERMITTED BY FEDERAL LAW;

~~[(ix)]~~ **(X)** May include bedside nursing care for eligible Program recipients; and

~~[(x)]~~ **(XI)** Shall provide services in accordance with funding restrictions included in the annual State budget bill.

(3) Subject to restrictions in federal law or waivers, the Department may impose cost-sharing on Program recipients.

(b) (1) As permitted by federal law or waiver, the Secretary may establish a program under which Program recipients are required to enroll in managed care organizations.

1 (3) Subject to the limitations of the State budget and as permitted by
2 federal law or waiver, the program developed under paragraph (1) of this subsection
3 and the program developed under § 15–301 of this title:

4 (I) **SHALL PROVIDE GUARANTEED ELIGIBILITY FOR EACH**
5 **ENROLLEE UNDER 19 YEARS OF AGE FOR 6 MONTHS; AND**

6 (II) [may] **MAY** provide guaranteed eligibility for each enrollee
7 for up to [6] **12** months, unless an enrollee obtains health insurance through another
8 source.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2007.