

**HB1391/166788/1**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Schuh” and substitute “Schuh, Bromwell, Costa, Hubbard, Kullen, Montgomery, Oaks, V. Turner, Weldon, Hucker, Bartlett, Barve, Cardin, Doory, Elmore, Frick, George, Gilchrist, Jennings, Kaiser, Krebs, Murphy, Olszewski, Rice, Ross, Serafini, Stukes, F. Turner, and Walker”; in line 5, strike “certain”; in line 6, after “return” insert “for a certain tax year”; in the same line, strike “amount” and substitute “income eligibility standard”; strike beginning with “requiring” in line 10 down through “regulations;” in line 11; strike beginning with “widely” in line 14 down through “purpose” in line 15 and substitute “the availability of the Maryland Medical Assistance Program and the Maryland Children’s Health Program to certain taxpayers”; strike beginning with “prohibiting” in line 15 down through “exceptions” in line 17 and substitute “requiring the Maryland Health Care Commission and the Office of the Comptroller to study and make recommendations on the implementation of a certain health care coverage mandate and to report on their study and recommendations to the Governor and the General Assembly on or before certain dates; requiring the transfer of certain funds from the Maryland Health Care Provider Rate Stabilization Fund to the Office of the Comptroller for a certain purpose”; in line 17, after “defining” insert “a”; in line 18, strike “terms” and substitute “term”; and strike beginning with “providing” in line 18 down through “provisions” in line 20 and substitute “providing for the termination”.

AMENDMENT NO. 2

On page 4, strike beginning with the first “**THE**” in line 8 down through “**HEALTH**” in line 14 and substitute “, **HEALTH**”; strike in their entirety lines 16 through 22, inclusive; in line 23, strike “**FEDERAL ADJUSTED GROSS**”; in line 24, strike “**THE PREVIOUS TAXABLE YEAR**” and substitute “**TAX YEAR 2007**”; and in lines 25 and 26, strike “**300% OF THE APPLICABLE POVERTY INCOME LEVEL**” and

(Over)

substitute “THE HIGHEST INCOME ELIGIBILITY STANDARD FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM”.

AMENDMENT NO. 3

On page 5, strike beginning with “(1)” in line 1 down through “CHILD.” in line 29.

On page 6, in lines 1 and 6, strike “(3)” and “(4)”, respectively, and substitute “(1)” and “(2)”, respectively; in line 1, strike “THE” and substitute “BEGINNING WITH THE TAX RETURN FOR TAX YEAR 2008, THE”; in lines 3 and 4, strike “THAT MEETS THE REQUIREMENTS OF THIS SUBSECTION”; in line 6, after “RETURN” insert “FOR TAX YEAR 2008 OR 2009”; in line 8, strike “FEDERAL ADJUSTED GROSS”; in line 9, strike “300% OF THE APPLICABLE POVERTY INCOME LEVEL” and substitute “THE HIGHEST LEVEL INCOME ELIGIBILITY STANDARD FOR THE MARYLAND MEDICAL ASSISTANCE PROGRAM OR THE MARYLAND CHILDREN’S HEALTH PROGRAM”; in line 12, strike “, WITH INSTRUCTIONS”; and strike lines 13 and 14 in their entirety.

AMENDMENT NO. 4

On page 6, strike beginning with “determining” in line 18 down through “children” in line 21 and substitute “improving the processes for determining eligibility for the Maryland Medical Assistance Program and the Maryland Children’s Health Program, including the feasibility of facilitating outreach or auto-enrollment through linkages with other electronic data sources”.

AMENDMENT NO. 5

On page 6, after line 33, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Care Commission and the Office of the Comptroller shall study and make recommendations on the implementation of a health care coverage mandate for dependent children by 2011, if more than 3% of children in the State are estimated to be uninsured.

(b) The Commission and the Office shall incorporate in the study and recommendations:

(1) the number of Maryland families, by income level, claiming the State income tax exemption for dependent children;

(2) the value to a family of the State income tax exemption for dependent children, by income level;

(3) the effect of the provisions of § 10-211.1 of the Tax – General Article, as enacted by Section 1 of this Act, on the number and percentage of children in the State who are uninsured; and

(4) issues relating to the role of the State income tax exemption for dependent children in any mandate requiring parents to obtain health care coverage for their children, including:

(i) the need for special rules for noncustodial parents;

(ii) the need for changes in the information collected on the income tax form;

(iii) the manner in which a mandate should be enforced; and

(iv) any needed exceptions for taxpayers to a mandate, such as an exception for a taxpayer who:

(Over)

1. is a recent resident of the State;
2. is just entering the workforce;
3. is in between jobs;
4. has been turned down for private insurance and is unable to enroll in the Maryland Health Insurance Plan;
5. claims a religious exception; or
6. is unable to obtain affordable private health insurance.

(c) The Commission and the Office shall:

(1) report on their study and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on or before January 1, 2010; and

(2) update the report on or before January 1, 2011, with any new information available.”.

AMENDMENT NO. 6

On page 7, in line 1, strike “3.” and substitute “4.”; strike beginning with “widely” in line 2 down through “their” in line 3 and substitute “the availability of the Maryland Medical Assistance Program and the Maryland Children’s Health Program to taxpayers with”; strike in their entirety lines 4 through 7, inclusive, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal years 2010 and 2011, up to \$300,000 each year shall be transferred from the Maryland Health Care Provider Rate Stabilization Fund

established under Title 19, Subtitle 8 of the Insurance Article to the Office of the Comptroller to pay for mailings of applications and enrollment instructions for the Maryland Medical Assistance Program and the Maryland Children's Health Program, in accordance with § 10-211.1 of the Tax – General Article, as enacted by Section 1 of this Act.”;

in line 8, strike “5.” and substitute “6.”; strike beginning with “§ 10-211.1(b)” in line 8 through the first comma in line 13; and in line 13, after “2008.” insert “It shall remain effective for a period of 3 years and, at the end of June 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.