

HOUSE BILL 1406

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By: **Delegates Mizeur, Murphy, Benson, Donoghue, Elliott, Gutierrez, Hixson, Howard, Hubbard, Hucker, Ivey, Kipke, Kullen, Lafferty, McIntosh, Montgomery, Nathan-Pulliam, Pena-Melnyk, Reznik, Riley, Stein, Tarrant, and V. Turner**

Introduced and read first time: February 8, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Foster Kids Coverage Act**

3 FOR the purpose of requiring the Maryland Medical Assistance Program to provide,
4 subject to certain conditions, certain health care services for independent foster
5 care adolescents; defining a certain term; and generally relating to Maryland
6 Medical Assistance Program services for independent foster care adolescents.

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 15–101(a)
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2007 Supplement)

12 BY adding to
13 Article – Health – General
14 Section 15–101(d–1)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2007 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Health – General
19 Section 15–103(a)
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2007 Supplement)
22 (As enacted by Chapter 7 of the Acts of the General Assembly of the 2007
23 Special Session)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article - Health - General**

4 15-101.

5 (a) In this title the following words have the meanings indicated.

6 **(D-1) "INDEPENDENT FOSTER CARE ADOLESCENT" MEANS AN**
7 **INDIVIDUAL:**

8 **(1) WHO IS UNDER 21 YEARS OF AGE; AND**

9 **(2) WHO, ON THE INDIVIDUAL'S 18TH BIRTHDAY, WAS IN FOSTER**
10 **CARE UNDER THE RESPONSIBILITY OF THE STATE.**

11 15-103.

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

14 (2) The Program:

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

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

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

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

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

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

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

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

16 (ix) Beginning on July 1, 2008, shall provide, subject to the
17 limitations of the State budget, and as permitted by federal law, comprehensive
18 medical care and other health care services for all parents and caretaker relatives:

19 1. Who have a dependent child living in the parents' or
20 caretaker relatives' home; and

21 2. Whose annual household income is at or below 116
22 percent of the poverty level;

23 **(X) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE**
24 **STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, COMPREHENSIVE**
25 **MEDICAL CARE AND OTHER HEALTH CARE SERVICES FOR INDEPENDENT**
26 **FOSTER CARE ADOLESCENTS:**

27 **1. WHO ARE NOT OTHERWISE ELIGIBLE FOR**
28 **PROGRAM BENEFITS; AND**

29 **2. WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR**
30 **BELOW 300 PERCENT OF THE POVERTY LEVEL;**

31 [(x)] **(XI)** May include bedside nursing care for eligible Program
32 recipients; and

33 [(xi)] **(XII)** Shall provide services in accordance with funding
34 restrictions included in the annual State budget bill.

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.