

HOUSE BILL 462

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HB 1574/06 – HGO

By: **Delegates Hubbard, Costa, Kipke, V. Turner, and Weldon**

Introduced and read first time: February 4, 2009

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2009

CHAPTER _____

1 AN ACT concerning

2 **Medicaid State Plan and Medical Assistance Program – Amendments and**
3 **Waiver Applications**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to
5 publish in the Maryland Register notice of amendments to the Medicaid State
6 Plan ~~or Medical Assistance Program~~; requiring the Department of Health and
7 Mental Hygiene to submit amendments to the Medicaid State Plan ~~or Medical~~
8 ~~Assistance Program~~ to the Medicaid Advisory Committee; requiring the
9 Department to make amendments to the Medicaid State Plan ~~or Medical~~
10 ~~Assistance Program~~ available to the public and to provide an opportunity for
11 public comment on the amendments; requiring the Department to submit to the
12 Medicaid Advisory Committee a copy of a certain Medical Assistance Program
13 waiver application under certain circumstances; and generally relating to the
14 Medicaid State Plan and Medical Assistance Program.

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 15–134
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 Supplement)

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

22 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 15-134.

2 (a) If the Department applies for a Medical Assistance Program waiver [or],
3 modifies or amends an existing Medical Assistance Program waiver, **OR AMENDS THE**
4 **MEDICAID STATE PLAN OR MEDICAL ASSISTANCE PROGRAM**, the Department
5 shall give notice of the application or amendment by:

6 (1) Publication in the Maryland Register; and

7 (2) Submission of the application or amendment to the Medicaid
8 Advisory Committee for discussion at a Medicaid Advisory Committee meeting.

9 (b) For 30 days following publication of any notice published under
10 subsection (a) of this section, the Department shall:

11 (1) Make the Medical Assistance Program waiver application **OR**
12 **AMENDMENT TO THE MEDICAID STATE PLAN OR MEDICAL ASSISTANCE**
13 **PROGRAM** available to the public during business hours; and

14 (2) Provide an opportunity to receive public comments on the Medical
15 Assistance Program waiver application **OR AMENDMENT TO THE MEDICAID STATE**
16 **PLAN OR MEDICAL ASSISTANCE PROGRAM**.

17 (c) If the Department submits to the federal Centers for Medicare and
18 Medicaid Services an amendment to the Medicaid State Plan or Medical Assistance
19 Program, **WAIVER APPLICATION**, the Department shall submit a copy of the
20 amendment **OR WAIVER APPLICATION** to the members of the Medicaid Advisory
21 Committee no later than five business days after the Department submits the
22 amendment **OR WAIVER APPLICATION** to the federal Centers for Medicare and
23 Medicaid Services.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.