

HOUSE BILL 1279

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By: **Delegate Mizeur**

Introduced and read first time: February 13, 2009

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Family Planning Services –**
3 **Eligibility**

4 FOR the purpose of altering the eligibility requirements for family planning services
5 under the Maryland Medical Assistance Program by requiring the Program to
6 provide those services to all women whose family income is at or below a certain
7 percent of the poverty level under certain circumstances; and generally relating
8 to eligibility for family planning services under the Maryland Medical
9 Assistance Program.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 15–103(a)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

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

17 **Article – Health – General**

18 15–103.

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

21 (2) The Program:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

9 (iv) Shall provide, subject to the limitations of the State budget,
10 family planning services to **ALL** women [currently eligible for comprehensive medical
11 care and other health care under item (ii) of this paragraph for 5 years after the
12 second month following the month in which the woman delivers her child] **WHOSE**
13 **FAMILY INCOME IS AT OR BELOW 250 PERCENT OF THE POVERTY LEVEL, AS**
14 **PERMITTED BY FEDERAL LAW;**

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

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

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

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

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

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

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

3 (x) Beginning on July 1, 2008, shall provide, subject to the
4 limitations of the State budget, and as permitted by federal law, medical care and
5 other health care services for adults:

6 1. Who do not meet requirements, such as age,
7 disability, or parent or caretaker relative of a dependent child, for a federal category of
8 eligibility for Medicaid;

9 2. Whose annual household income is at or below 116
10 percent of the poverty level; and

11 3. Who are not enrolled in the federal Medicare
12 program, as enacted by Title XVIII of the Social Security Act;

13 (xi) May include bedside nursing care for eligible Program
14 recipients; and

15 (xii) Shall provide services in accordance with funding
16 restrictions included in the annual State budget bill.

17 (3) Subject to restrictions in federal law or waivers, the Department
18 may:

19 (i) Impose cost-sharing on Program recipients; and

20 (ii) For adults who do not meet requirements for a federal
21 category of eligibility for Medicaid:

22 1. Cap enrollment; and

23 2. Limit the benefit package.

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