

# HOUSE BILL 1475

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By: **Chair, Health and Government Operations Committee (By Request -  
Departmental - Health and Mental Hygiene)**

Introduced and read first time: March 2, 2009

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 9, 2009

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Committee Report: Favorable

House action: Adopted

Read second time: April 6, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Veterans Behavioral Health - Expansion**

3 FOR the purpose of expanding behavioral health coordination to certain additional  
4 veterans who served on active duty in the uniformed services of the United  
5 States; requiring the provision of certain behavioral health services under  
6 certain circumstances in certain additional areas of the State; and generally  
7 relating to the provision of behavioral health services for veterans in the State.

8 BY repealing and reenacting, with amendments,  
9 Article - Health - General  
10 Section 13-2701 and 13-2702  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2008 Supplement)

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

15 **Article - Health - General**

16 13-2701.

17 (a) In this subtitle the following words have the meanings indicated.

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**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 (b) "Adjutant General" means the head of the Maryland Military  
2 Department.

3 (c) "Behavioral health services" means mental health services or alcohol and  
4 substance abuse services.

5 (d) "Crisis services" means temporary services designed to address and  
6 stabilize a severe behavioral health problem and to avoid an emergency situation, and  
7 may include hotlines, in-home support, and residential crisis services.

8 (e) "Maryland Defense Force" means the military force established under §  
9 13-501 of the Public Safety Article.

10 (f) "Maryland National Guard" means the Maryland Army National Guard  
11 and Maryland Air National Guard.

12 (g) "Service coordination" means a service designed to coordinate and provide  
13 assistance in obtaining access to behavioral health services.

14 (h) "Service coordinator" means a person employed by the Department to  
15 provide service coordination to veterans.

16 (i) "Uniformed services" has the meaning stated in 10 U.S.C. § 101.

17 (j) "Veteran" means a Maryland resident who[:

18 (1) Served] **SERVED** on active duty in the uniformed services of the  
19 United States, other than for training, and was discharged or released under  
20 conditions other than dishonorable[; and

21 (2) (i) Served in Afghanistan or contiguous airspace, as defined in  
22 federal regulations, on or after October 24, 2001, and before a terminal date to be  
23 prescribed by the United States Secretary of Defense; or

24 (ii) Served in Iraq or contiguous waters or airspace, as defined  
25 in federal regulations, on or after March 19, 2003, and before a terminal date to be  
26 prescribed by the United States Secretary of Defense].

27 (k) "Web-based resource program" means an interactive web-based  
28 communication medium that:

29 (1) Allows individuals to access comprehensive information, advocacy,  
30 and other resources regarding public and private behavioral health services, crisis and  
31 emergency services, and early intervention and prevention programs; and

1           (2) Enables the public and private health care communities to work  
2 together to address the problems related to providing and obtaining access to  
3 behavioral health services.

4 13-2702.

5           (a) Subject to the limitations of its budget, the Department:

6           (1) In collaboration with the United States Department of Veterans  
7 Affairs, the Maryland Department of Veterans Affairs, the Maryland National Guard,  
8 and the Maryland Defense Force, shall provide service coordination for veterans in all  
9 geographic regions of the State to connect them to behavioral health services which  
10 may be available through the United States Department of Veterans Affairs;

11           (2) (i) Where services are not yet available or accessible through  
12 the United States Department of Veterans Affairs, shall provide service coordination  
13 for veterans in all geographic regions of the State to connect them to behavioral health  
14 services which may be available through the Mental Hygiene Administration or the  
15 Alcohol and Drug Abuse Administration, until such federal services can be accessed  
16 and obtained; and

17           (ii) The provision of services through the Mental Hygiene  
18 Administration or the Alcohol and Drug Abuse Administration shall be based on  
19 eligibility and medical necessity criteria established by these administrations; and

20           (3) Shall provide veterans up-to-date information about behavioral  
21 health services and resources through a web-based resource program.

22           (b) Subject to the limitations of its budget and in addition to the service  
23 coordination provided under subsection (a) of this section, the Department shall  
24 provide or fund certain behavioral health services for veterans who:

25           (1) Meet the eligibility and medical necessity criteria of the Mental  
26 Hygiene Administration and the Alcohol and Drug Abuse Administration; and

27           (2) Cannot obtain immediate access to behavioral health services  
28 through the United States Department of Veterans Affairs.

29           (c) (1) The behavioral health services provided under subsection (b) of  
30 this section may include:

31           (i) Crisis services in all geographic regions of the State; and

32           (ii) Short-term behavioral health services [in rural areas of the  
33 State], where existing federal and State behavioral health services are determined by  
34 the Department to be inadequate or inaccessible.

1                   (2)    The short-term behavioral health services provided under  
2 paragraph (1) (ii) of this subsection:

3                   (i)    Shall be available only until a veteran is able to access and  
4 obtain adequate behavioral health services through the United States Department of  
5 Veterans Affairs; and

6                   (ii)   May include:

- 7                           1.    Screening assessments;
- 8                           2.    Individual, family, and group therapy;
- 9                           3.    Substance abuse early intervention and detoxification  
10 services; and
- 11                           4.    Substance abuse medication-assisted treatment.

12                   (3)    The Department shall seek reimbursement from the United States  
13 Department of Veterans Affairs or other responsible public or private payer for any  
14 behavioral health services provided under subsection (b) of this section.

15                   (d)    The Department shall account separately for funds used to provide  
16 behavioral health services to veterans under subsection (b) of this section.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.