

## CHAPTER 395

(House Bill 462)

AN ACT concerning

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

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

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

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

#### **Article – Health – General**

15–134.

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

(1) Publication in the Maryland Register; and

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

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

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

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

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

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

**Approved by the Governor, May 7, 2009.**