

CHAPTER 681

(House Bill 580)

AN ACT concerning

Foster Kids Coverage Act

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

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–101(d–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)
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

15–101.

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

(D–1) “INDEPENDENT FOSTER CARE ADOLESCENT” MEANS AN INDIVIDUAL:

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

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

15-103.

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

(2) The Program:

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

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

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

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

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

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

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

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

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

1. Who have a dependent child living in the parents' or caretaker relatives' home; and
2. Whose annual household income is at or below 116 percent of the poverty level;

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

- 1. WHO ARE NOT OTHERWISE ELIGIBLE FOR PROGRAM BENEFITS; AND**
- 2. WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR BELOW 300 PERCENT OF THE POVERTY LEVEL;**

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

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

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

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

Approved by the Governor, May 19, 2009.