

## **CHAPTER 736**

**(House Bill 1475)**

AN ACT concerning

### **Maryland Veterans Behavioral Health – Expansion**

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

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–2701 and 13–2702  
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**

13–2701.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Adjutant General” means the head of the Maryland Military Department.
- (c) “Behavioral health services” means mental health services or alcohol and substance abuse services.
- (d) “Crisis services” means temporary services designed to address and stabilize a severe behavioral health problem and to avoid an emergency situation, and may include hotlines, in-home support, and residential crisis services.
- (e) “Maryland Defense Force” means the military force established under § 13–501 of the Public Safety Article.
- (f) “Maryland National Guard” means the Maryland Army National Guard and Maryland Air National Guard.

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

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

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

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

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

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

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

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

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

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

13-2702.

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

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

(2) (i) Where services are not yet available or accessible through the United States Department of Veterans Affairs, shall provide service coordination for veterans in all geographic regions of the State to connect them to behavioral health

services which may be available through the Mental Hygiene Administration or the Alcohol and Drug Abuse Administration, until such federal services can be accessed and obtained; and

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

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

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

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

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

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

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

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

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

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

(ii) May include:

1. Screening assessments;

2. Individual, family, and group therapy;

3. Substance abuse early intervention and detoxification services; and

4. Substance abuse medication–assisted treatment.

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

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

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

**Approved by the Governor, May 19, 2009.**