

HOUSE BILL 1242

E3, J1

0lr1532

By: **Delegates Ramirez, Hucker, Pendergrass, and Stocksdale**

Introduced and read first time: February 18, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Suspension of Medicaid and Children's Health Program Benefits – Juvenile**
3 **Incarceration**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to
5 suspend benefits under the Maryland Medical Assistance Program and
6 Maryland Children's Health Program for individuals under a certain age who
7 are incarcerated; prohibiting the Department from terminating the Medical
8 Assistance Program or the Children's Health Program benefits for individuals
9 under a certain age based on the incarceration of the individual; and generally
10 relating to the Medical Assistance Program and the Children's Health Program
11 benefits for individuals under a certain age who are incarcerated.

12 BY repealing and reenacting, without amendments,
13 Article – Health – General
14 Section 15–101(h)
15 Annotated Code of Maryland
16 (2009 Replacement Volume)

17 BY adding to
18 Article – Health – General
19 Section 15–109.3 and 15–306
20 Annotated Code of Maryland
21 (2009 Replacement Volume)

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

24 **Article – Health – General**

25 15–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(h) "Program" means the Maryland Medical Assistance Program.

15-109.3.

TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, IF A PROGRAM RECIPIENT WHO IS UNDER THE AGE OF 18 IS INCARCERATED, THE DEPARTMENT:

(1) SHALL SUSPEND PROGRAM BENEFITS FOR THAT INDIVIDUAL WHILE THE INDIVIDUAL IS INCARCERATED; AND

(2) MAY NOT TERMINATE PROGRAM BENEFITS FOR THAT INDIVIDUAL BASED ON THE INCARCERATION OF THE INDIVIDUAL.

15-306.

TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, IF A MARYLAND CHILDREN'S HEALTH PROGRAM RECIPIENT WHO IS UNDER THE AGE OF 18 IS INCARCERATED, THE DEPARTMENT:

(1) SHALL SUSPEND MARYLAND CHILDREN'S HEALTH PROGRAM BENEFITS FOR THAT INDIVIDUAL WHILE THE INDIVIDUAL IS INCARCERATED; AND

(2) MAY NOT TERMINATE MARYLAND CHILDREN'S HEALTH PROGRAM BENEFITS FOR THAT INDIVIDUAL BASED ON THE INCARCERATION OF THE INDIVIDUAL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.