	J1 0lr2527 HB 1279/09 – HGO CF 0lr1117
	By: Senators Pugh, Frosh, Harrington, Jones, Lenett, Madaleno, Middleton, Peters, Raskin, and Rosapepe Introduced and read first time: February 3, 2010 Assigned to: Finance
	A BILL ENTITLED
1	AN ACT concerning
2	Family Planning Works Act
$     \begin{array}{r}       3 \\       4 \\       5 \\       6 \\       7 \\       8 \\       9 \\       10 \\       11 \\       12 \\       13 \\     \end{array} $	<ul> <li>FOR the purpose of altering the eligibility requirements for family planning services under the Maryland Medical Assistance Program by requiring the Program to provide those services to all women whose family income is at or below a certain percent of the poverty level under certain circumstances; declaring the intent of the General Assembly; and generally relating to eligibility for family planning services under the Maryland Medical Assistance Program.</li> <li>BY repealing and reenacting, with amendments, Article – Health – General Section 15–103(a) Annotated Code of Maryland (2009 Replacement Volume)</li> </ul>
1415	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
16	Article – Health – General
17	15–103.
18 19	(a) (1) The Secretary shall administer the Maryland Medical Assistance Program.
20	(2) The Program:
$21 \\ 22 \\ 23$	(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;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



1 (ii) Shall provide, subject to the limitations of the State budget, 2 comprehensive medical and other health care services for all eligible pregnant women 3 whose family income is at or below 250 percent of the poverty level, as permitted by 4 the federal law;

5 (iii) Shall provide, subject to the limitations of the State budget, 6 comprehensive medical and other health care services for all eligible children 7 currently under the age of 1 whose family income falls below 185 percent of the 8 poverty level, as permitted by federal law;

9 (iv) Shall provide, subject to the limitations of the State budget, 10 family planning services to ALL women [currently eligible for comprehensive medical 11 care and other health care under item (ii) of this paragraph for 5 years after the 12 second month following the month in which the woman delivers her child] WHOSE 13 FAMILY INCOME IS AT OR BELOW 250 PERCENT OF THE POVERTY LEVEL, AS 14 PERMITTED BY FEDERAL LAW;

(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:

37
38 caretaker relatives' home; and
38 Who have a dependent child living in the parents' or

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Whose annual household income is at or below 116 1 2.  $\mathbf{2}$ percent of the poverty level: 3 Beginning on July 1, 2008, shall provide, subject to the (x) 4 limitations of the State budget, and as permitted by federal law, medical care and  $\mathbf{5}$ other health care services for adults: 6 1. Who do not meet requirements, such as age, 7disability, or parent or caretaker relative of a dependent child, for a federal category of eligibility for Medicaid: 8 9 2. Whose annual household income is at or below 116 percent of the poverty level; and 10 11 3. Who are not enrolled in the federal Medicare 12program, as enacted by Title XVIII of the Social Security Act; 13 Shall provide, subject to the limitations of the State budget, (xi) and as permitted by federal law, comprehensive medical care and other health care 14services for independent foster care adolescents: 1516 1. Who are not otherwise eligible for Program benefits; 17 and 18 Whose annual household income is at or below 300 2.19percent of the poverty level; 20(xii) May include bedside nursing care for eligible Program 21recipients; and 22accordance (xiii) Shall provide services in funding with 23restrictions included in the annual State budget bill. 24(3)Subject to restrictions in federal law or waivers, the Department 25may: 26(i) Impose cost-sharing on Program recipients; and 27For adults who do not meet requirements for a federal (ii) 28category of eligibility for Medicaid: 291. Cap enrollment; and 30 2.Limit the benefit package, except that substance abuse services shall be provided that are at least equivalent to the substance abuse 3132services provided to adults under paragraph (2)(ix) of this subsection.

1 (4) In fiscal year 2011 and each fiscal year thereafter, the Governor 2 shall include in the State budget funding sufficient to provide the substance abuse 3 benefits required under paragraph (3)(ii)2 of this subsection.

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the 5 General Assembly that any long-term savings to the Maryland Medical Assistance 6 Program resulting from the expansion of eligibility for family planning services under 7 this Act, shall be used to continue the operation of the Upper Shore Community 8 Mental Health Center in Chestertown, Maryland.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 10 October 1, 2010.