

HOUSE BILL 793

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11r2380
CF SB 682

By: Delegates Valentino-Smith, Boteler, DeBoy, Howard, McComas, Minnick, Mitchell, B. Robinson, Stein, F. Turner, V. Turner, Vallario, and Wilson
Wilson, Hammen, Pendergrass, Bromwell, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, and Tarrant

Introduced and read first time: February 10, 2011
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 2011

CHAPTER _____

1 AN ACT concerning

2 **Behavioral Health – Veterans – Coordination and Provision of Services**

3 FOR the purpose of reenacting certain provisions of law that were abrogated as of a
4 certain date to provide for the continuance of the coordination of certain
5 behavioral health services for certain veterans; requiring the Department of
6 Health and Mental Hygiene, in collaboration with the United States
7 Department of Veterans Affairs, the Maryland Department of Veterans Affairs,
8 the Maryland National Guard, and the Maryland Defense Force, to provide
9 behavioral health services coordination for certain veterans, subject to certain
10 limitations; requiring the Department of Health and Mental Hygiene, subject to
11 certain limitations, to coordinate, provide, and fund certain behavioral health
12 services for certain veterans under certain circumstances; requiring the
13 Department of Health and Mental Hygiene to seek certain reimbursement for
14 certain services; requiring the Department of Health and Mental Hygiene to
15 separately account for certain funds; defining certain terms; and generally
16 relating to the coordination and provision of behavioral health services for
17 veterans.

18 BY adding to
19 Article – Health – General

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 13–2701 and 13–2702 to be under the new subtitle “Subtitle 27.
2 Behavioral Health Services for Maryland Veterans”
3 Annotated Code of Maryland
4 (2009 Replacement Volume and 2010 Supplement)

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

7 **Article – Health – General**

8 **SUBTITLE 27. BEHAVIORAL HEALTH SERVICES FOR MARYLAND VETERANS.**

9 **13–2701.**

10 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
11 INDICATED.

12 (B) “BEHAVIORAL HEALTH SERVICES” MEANS MENTAL HEALTH
13 SERVICES OR ALCOHOL AND SUBSTANCE ABUSE SERVICES.

14 (C) (1) “CRISIS SERVICES” MEANS TEMPORARY SERVICES DESIGNED
15 TO ADDRESS AND STABILIZE A SEVERE BEHAVIORAL HEALTH PROBLEM AND TO
16 AVOID AN EMERGENCY SITUATION.

17 (2) “CRISIS SERVICES” INCLUDES HOTLINES, IN–HOME SUPPORT,
18 AND RESIDENTIAL CRISIS SERVICES.

19 (D) “MARYLAND DEFENSE FORCE” MEANS THE MILITARY FORCE
20 ESTABLISHED UNDER § 13–501 OF THE PUBLIC SAFETY ARTICLE.

21 (E) “MARYLAND NATIONAL GUARD” MEANS THE MARYLAND ARMY
22 NATIONAL GUARD AND MARYLAND AIR NATIONAL GUARD.

23 (F) “SERVICE COORDINATION” MEANS A SERVICE DESIGNED TO
24 COORDINATE AND PROVIDE ASSISTANCE IN OBTAINING ACCESS TO BEHAVIORAL
25 HEALTH SERVICES.

26 (G) “UNIFORMED SERVICES” HAS THE MEANING STATED IN 10 U.S.C. §
27 101.

28 (H) “VETERAN” MEANS A MARYLAND RESIDENT WHO SERVED ON
29 ACTIVE DUTY IN THE UNIFORMED SERVICES OF THE UNITED STATES, OTHER
30 THAN FOR TRAINING, AND WAS DISCHARGED OR RELEASED UNDER CONDITIONS
31 OTHER THAN DISHONORABLE.

1 (I) "WEB-BASED RESOURCE PROGRAM" MEANS AN INTERACTIVE
2 WEB-BASED COMMUNICATION MEDIUM THAT:

3 (1) ALLOWS INDIVIDUALS TO ACCESS COMPREHENSIVE
4 INFORMATION, ADVOCACY, AND OTHER RESOURCES REGARDING PUBLIC AND
5 PRIVATE BEHAVIORAL HEALTH SERVICES, CRISIS AND EMERGENCY SERVICES,
6 AND EARLY INTERVENTION AND PREVENTION PROGRAMS; AND

7 (2) ENABLES THE PUBLIC AND PRIVATE HEALTH CARE
8 COMMUNITIES TO WORK TOGETHER TO ADDRESS THE PROBLEMS RELATED TO
9 PROVIDING AND OBTAINING ACCESS TO BEHAVIORAL HEALTH SERVICES.

10 13-2702.

11 (A) SUBJECT TO THE LIMITATIONS OF ITS BUDGET, THE DEPARTMENT:

12 (1) IN COLLABORATION WITH THE UNITED STATES DEPARTMENT
13 OF VETERANS AFFAIRS, THE MARYLAND DEPARTMENT OF VETERANS AFFAIRS,
14 THE MARYLAND NATIONAL GUARD, AND THE MARYLAND DEFENSE FORCE,
15 SHALL PROVIDE BEHAVIORAL HEALTH SERVICE COORDINATION FOR VETERANS
16 IN ALL GEOGRAPHIC REGIONS OF THE STATE TO CONNECT THEM TO
17 BEHAVIORAL HEALTH SERVICES WHICH MAY BE AVAILABLE THROUGH THE
18 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS;

19 (2) (I) WHERE BEHAVIORAL HEALTH SERVICES ARE NOT YET
20 AVAILABLE OR ACCESSIBLE THROUGH THE UNITED STATES DEPARTMENT OF
21 VETERANS AFFAIRS, SHALL PROVIDE SERVICE COORDINATION FOR VETERANS
22 IN ALL GEOGRAPHIC REGIONS OF THE STATE TO CONNECT THEM TO
23 BEHAVIORAL HEALTH SERVICES WHICH MAY BE AVAILABLE THROUGH THE
24 MENTAL HYGIENE ADMINISTRATION OR THE ALCOHOL AND DRUG ABUSE
25 ADMINISTRATION, UNTIL SUCH FEDERAL SERVICES CAN BE ACCESSED AND
26 OBTAINED; AND

27 (II) SHALL PROVIDE BEHAVIORAL HEALTH SERVICES
28 THROUGH THE MENTAL HYGIENE ADMINISTRATION OR THE ALCOHOL AND
29 DRUG ABUSE ADMINISTRATION BASED ON ELIGIBILITY AND MEDICAL
30 NECESSITY CRITERIA ESTABLISHED BY THESE ADMINISTRATIONS; AND

31 (3) SHALL PROVIDE VETERANS UP-TO-DATE INFORMATION
32 ABOUT BEHAVIORAL HEALTH SERVICES AND RESOURCES THROUGH A
33 WEB-BASED RESOURCE PROGRAM.

34 (B) SUBJECT TO THE LIMITATIONS OF ITS BUDGET AND IN ADDITION TO
35 THE SERVICE COORDINATION PROVIDED UNDER SUBSECTION (A) OF THIS

1 SECTION, THE DEPARTMENT SHALL PROVIDE OR FUND CERTAIN BEHAVIORAL
2 HEALTH SERVICES FOR VETERANS WHO:

3 (1) MEET THE ELIGIBILITY AND MEDICAL NECESSITY CRITERIA
4 OF THE MENTAL HYGIENE ADMINISTRATION AND THE ALCOHOL AND DRUG
5 ABUSE ADMINISTRATION; AND

6 (2) CANNOT OBTAIN IMMEDIATE ACCESS TO BEHAVIORAL
7 HEALTH SERVICES THROUGH THE UNITED STATES DEPARTMENT OF VETERANS
8 AFFAIRS.

9 (c) (1) THE BEHAVIORAL HEALTH SERVICES PROVIDED UNDER
10 SUBSECTION (B) OF THIS SECTION MAY INCLUDE:

11 (i) CRISIS SERVICES IN ALL GEOGRAPHIC REGIONS OF THE
12 STATE; AND

13 (ii) SHORT-TERM BEHAVIORAL HEALTH SERVICES, WHERE
14 EXISTING FEDERAL AND STATE BEHAVIORAL HEALTH SERVICES ARE
15 DETERMINED BY THE DEPARTMENT TO BE INADEQUATE OR INACCESSIBLE.

16 (2) THE SHORT-TERM BEHAVIORAL HEALTH SERVICES PROVIDED
17 UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:

18 (i) SHALL BE AVAILABLE ONLY UNTIL A VETERAN IS ABLE
19 TO ACCESS AND OBTAIN ADEQUATE BEHAVIORAL HEALTH SERVICES THROUGH
20 THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; AND

21 (ii) MAY INCLUDE:

22 1. SCREENING ASSESSMENTS;

23 2. INDIVIDUAL, FAMILY, AND GROUP THERAPY;

24 3. SUBSTANCE ABUSE EARLY INTERVENTION AND
25 DETOXIFICATION SERVICES; AND

26 4. SUBSTANCE ABUSE MEDICATION-ASSISTED
27 TREATMENT.

28 (3) THE DEPARTMENT SHALL SEEK REIMBURSEMENT FROM THE
29 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR OTHER
30 RESPONSIBLE PUBLIC OR PRIVATE PAYER FOR ANY BEHAVIORAL HEALTH
31 SERVICES PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

1 **(D) THE DEPARTMENT SHALL ACCOUNT SEPARATELY FOR FUNDS USED**
2 **TO PROVIDE BEHAVIORAL HEALTH SERVICES TO VETERANS UNDER SUBSECTION**
3 **(B) OF THIS SECTION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 June 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.