

SENATE BILL 682

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11r2379
CF HB 793

By: Senators Peters ~~and Montgomery~~, Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh

Introduced and read first time: February 4, 2011

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 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

20 Section 13–2701 and 13–2702 to be under the new subtitle “Subtitle 27.
21 Behavioral Health Services for Maryland Veterans”

22 Annotated Code of Maryland

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 (2009 Replacement Volume and 2010 Supplement)

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

4 **Article – Health – General**

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

6 **13-2701.**

7 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

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

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

14 (2) “CRISIS SERVICES” INCLUDES HOTLINES, IN-HOME SUPPORT,
15 AND RESIDENTIAL CRISIS SERVICES.

16 (D) “MARYLAND DEFENSE FORCE” MEANS THE MILITARY FORCE
17 ESTABLISHED UNDER § 13-501 OF THE PUBLIC SAFETY ARTICLE.

18 (E) “MARYLAND NATIONAL GUARD” MEANS THE MARYLAND ARMY
19 NATIONAL GUARD AND MARYLAND AIR NATIONAL GUARD.

20 (F) “SERVICE COORDINATION” MEANS A SERVICE DESIGNED TO
21 COORDINATE AND PROVIDE ASSISTANCE IN OBTAINING ACCESS TO BEHAVIORAL
22 HEALTH SERVICES.

23 (G) “UNIFORMED SERVICES” HAS THE MEANING STATED IN 10 U.S.C. §
24 101.

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

29 (I) “WEB-BASED RESOURCE PROGRAM” MEANS AN INTERACTIVE
30 WEB-BASED COMMUNICATION MEDIUM THAT:

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

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

8 13-2702.

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

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

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

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

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

32 (B) SUBJECT TO THE LIMITATIONS OF ITS BUDGET AND IN ADDITION TO
33 THE SERVICE COORDINATION PROVIDED UNDER SUBSECTION (A) OF THIS
34 SECTION, THE DEPARTMENT SHALL PROVIDE OR FUND CERTAIN BEHAVIORAL
35 HEALTH SERVICES FOR VETERANS WHO:

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

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

7 **(C) (1) THE BEHAVIORAL HEALTH SERVICES PROVIDED UNDER**
8 **SUBSECTION (B) OF THIS SECTION MAY INCLUDE:**

9 **(I) CRISIS SERVICES IN ALL GEOGRAPHIC REGIONS OF THE**
10 **STATE; AND**

11 **(II) SHORT-TERM BEHAVIORAL HEALTH SERVICES, WHERE**
12 **EXISTING FEDERAL AND STATE BEHAVIORAL HEALTH SERVICES ARE**
13 **DETERMINED BY THE DEPARTMENT TO BE INADEQUATE OR INACCESSIBLE.**

14 **(2) THE SHORT-TERM BEHAVIORAL HEALTH SERVICES PROVIDED**
15 **UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION:**

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

19 **(II) MAY INCLUDE:**

20 **1. SCREENING ASSESSMENTS;**

21 **2. INDIVIDUAL, FAMILY, AND GROUP THERAPY;**

22 **3. SUBSTANCE ABUSE EARLY INTERVENTION AND**
23 **DETOXIFICATION SERVICES; AND**

24 **4. SUBSTANCE ABUSE MEDICATION-ASSISTED**
25 **TREATMENT.**

26 **(3) THE DEPARTMENT SHALL SEEK REIMBURSEMENT FROM THE**
27 **UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR OTHER**
28 **RESPONSIBLE PUBLIC OR PRIVATE PAYER FOR ANY BEHAVIORAL HEALTH**
29 **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.

President of the Senate.

Speaker of the House of Delegates.