

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1151 (Delegate A. Kelly)
Health and Government Operations

**Maryland Medical Assistance Program - Waiver for Children with Autism
Spectrum Disorder - Military Families**

This bill requires the Department of Health and Mental Hygiene (DHMH) and the Maryland State Department of Education (MSDE) to develop a process through which children receiving services through the Medicaid Home- and Community-Based Services Waiver for Children with Autism Spectrum Disorder whose eligibility is discontinued due to the family's relocation out of the State for military service to resume services immediately upon return to the State after relocation. DHMH and MSDE must adopt regulations to implement this process.

Fiscal Summary

State Effect: The regulations required under the bill can be adopted with existing budgeted resources. As the waiver is funded at a set number of slots annually, to the extent that the waiver is full when a child returns to the State, Medicaid expenditures (50% federal funds, 50% general funds) may increase by a minimal amount to provide waiver services to the child until a waiver slot is available.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Children with autism may access certain services through State and locally administered education programs, as required by the federal Individuals

with Disabilities Education Act (IDEA). IDEA parts B and C also require early intervention program services for toddlers and preschool-aged children.

The Medicaid Home- and Community-Based Services Waiver for Children with Autism Spectrum Disorder provides intensive individual support services, therapeutic integration services, supported employment, respite care, family training, environmental accessibility adaptations, and residential habilitation to qualified individuals with autism spectrum disorders. The waiver program is targeted to individuals who likely would be institutionalized without supports.

According to MSDE, the autism waiver serves 900 children annually and more than 3,600 families are on the statewide Autism Waiver Registry. The current average wait on the registry is seven years. For a child to receive waiver services, a waiver vacancy must be available. Currently, when waiver slots become available, the names at the top of the registry are provided an opportunity to apply for the waiver. At the beginning of each fiscal year, the number of openings based on the year's vacancies is between 65 and 70 due to children aging out of the waiver services, families being relocated, or children no longer remaining eligible for the waiver. As a Medicaid waiver, expenditures are split 50% general funds, 50% federal funds. The average annual State share for a child on the waiver is \$23,563 (\$69,383 for a child requiring residential services).

State Expenditures: As the bill requires eligible children to resume receiving waiver services *immediately* if the family returns to the State, to the extent that the waiver is full when a child returns, Medicaid expenditures (50% federal funds, 50% general funds) may increase by a minimal amount to provide waiver services to the child until a waiver slot becomes available. According to MSDE, in fiscal 2011, seven children moved out of State during the year. The exact amount of expenditures cannot be reliably estimated and will depend on the number of children eligible to resume waiver services under the regulations and the amount of time they are served prior to a waiver slot becoming available. Any increase in expenditures is anticipated to be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2012
mc/mwc

Analysis by: Jennifer B. Chasse

Direct Inquiries to:
(410) 946-5510
(301) 970-5510