

HOUSE BILL 1380

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4lr2919
CF 4lr2907

By: **Delegate Hubbard**

Introduced and read first time: February 12, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities – Residential Programs – Reimbursement for**
3 **Visitation Absence Days**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to
5 reimburse certain providers of services to individuals with developmental
6 disabilities in certain residential programs for a visitation absence day;
7 prohibiting the Department from imposing certain limitations on certain
8 reimbursement to certain providers for visitation absence days; prohibiting
9 certain providers from charging certain individuals in certain residential
10 programs for a visitation absence day; prohibiting the Department from using a
11 certain rate-setting methodology for certain providers for a certain purpose;
12 defining certain terms; and generally relating to providers of services to
13 individuals with developmental disabilities and reimbursement for visitation
14 absence days.

15 BY adding to

16 Article – Health – General
17 Section 7–307.1
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2013 Supplement)

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

22 **Article – Health – General**

23 **7–307.1.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
25 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “COMMUNITY PROVIDER” HAS THE MEANING STATED IN §**
2 **7-307 OF THIS SUBTITLE.**

3 **(3) “RATE” HAS THE MEANING STATED IN § 7-307 OF THIS**
4 **SUBTITLE.**

5 **(4) “RESIDENTIAL PROGRAM” MEANS A COMMUNITY-BASED**
6 **RESIDENTIAL PROGRAM THAT PROVIDES SERVICES TO INDIVIDUALS IN AN**
7 **ALTERNATIVE LIVING UNIT OR A GROUP HOME.**

8 **(5) “VISITATION ABSENCE DAY” MEANS AN ABSENCE OF AN**
9 **INDIVIDUAL FROM A RESIDENTIAL PROGRAM FOR A FULL 24-HOUR PERIOD OF**
10 **A DAY WHEN THE INDIVIDUAL IS UNABLE TO BE IN RESIDENTIAL SERVICES DUE**
11 **TO A VISIT WITH FAMILY OR FRIENDS.**

12 **(B) (1) THE DEPARTMENT SHALL REIMBURSE A COMMUNITY**
13 **PROVIDER FOR A VISITATION ABSENCE DAY.**

14 **(2) THE DEPARTMENT MAY NOT IMPOSE ANY LIMITATIONS ON**
15 **THE NUMBER OF VISITATION ABSENCE DAYS PER INDIVIDUAL PER YEAR FOR**
16 **WHICH THE DEPARTMENT WILL PROVIDE REIMBURSEMENT TO A COMMUNITY**
17 **PROVIDER.**

18 **(C) A COMMUNITY PROVIDER MAY NOT CHARGE AN INDIVIDUAL IN A**
19 **RESIDENTIAL PROGRAM FOR A VISITATION ABSENCE DAY.**

20 **(D) THE DEPARTMENT MAY NOT USE A RATE-SETTING METHODOLOGY**
21 **THAT REDUCES FUNDING FOR OTHER COST FACTORS WHEN ESTABLISHING THE**
22 **RATE OF REIMBURSEMENT FOR COMMUNITY PROVIDERS WHEN PROVIDING THE**
23 **REIMBURSEMENT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.**

24 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
25 **October 1, 2014.**