

# HOUSE BILL 1497

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By: **Delegate McMillan**

Introduced and read first time: February 26, 2014

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Services for Children With**  
3 **Prader–Willi Syndrome**

4 FOR the purpose of requiring the Department of Health and Mental Hygiene to apply  
5 to the Centers for Medicare and Medicaid Services for a certain waiver in order  
6 to receive federal matching funds for certain services to certain children with  
7 Prader–Willi syndrome; and generally relating to the Maryland Medical  
8 Assistance Program and a waiver for services for children with Prader–Willi  
9 syndrome.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 15–130  
13 Annotated Code of Maryland  
14 (2009 Replacement Volume and 2013 Supplement)

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

17 **Article – Health – General**

18 15–130.

19 (a) In this section, “seriously emotionally disturbed” means a condition that  
20 is:

21 (1) Manifest in an individual younger than 18 years or, if the  
22 individual is in a residential treatment center, younger than 21 years;

23 (2) Diagnosed according to the current diagnostic classification system  
24 that is recognized by the Secretary; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3) Characterized by a functional impairment that substantially  
2 interferes with or limits the child's role or functioning in the family, school, or  
3 community activities.

4           (b) (1) The Department shall apply to the Health Care Financing  
5 Administration of the federal Department of Health and Human Services for a  
6 home- and community-based services waiver under § 1915(c) of the federal Social  
7 Security Act in order to receive federal matching funds for services to seriously  
8 emotionally disturbed individuals who would otherwise require institutionalization in  
9 a residential treatment center.

10           (2) The Department shall apply to the Health Care Financing  
11 Administration of the federal Department of Health and Human Services for a  
12 home- and community-based services waiver under § 1915(c) of the federal Social  
13 Security Act in order to receive federal matching funds for services to autistic children  
14 aged 1 through 21 years who would otherwise require institutionalization in an  
15 institution for the developmentally disabled.

16           **(3) THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR**  
17 **MEDICARE AND MEDICAID SERVICES FOR A HOME- AND COMMUNITY-BASED**  
18 **SERVICES WAIVER UNDER § 1915(C) OF THE FEDERAL SOCIAL SECURITY ACT IN**  
19 **ORDER TO RECEIVE FEDERAL MATCHING FUNDS FOR SERVICES TO CHILDREN**  
20 **WITH PRADER-WILLI SYNDROME WHO ARE UNDER THE AGE OF 22 YEARS AND**  
21 **WHO MEET AN INSTITUTIONAL CARE FACILITY FOR THE DEVELOPMENTALLY**  
22 **DISABLED, A HOSPITAL, OR A NURSING HOME LEVEL OF CARE.**

23           (c) In accordance with subsection (b)(1) [and], (2), AND **(3)** of this section,  
24 the services to be provided for seriously emotionally disturbed individuals [or],  
25 autistic children, **OR CHILDREN WITH PRADER-WILLI SYNDROME** may include, but  
26 are not limited to:

27           (1) Respite services;

28           (2) Family training and education;

29           (3) Day treatment services;

30           (4) Therapeutic integration services;

31           (5) Intensive individual support services;

32           (6) Therapeutic living services;

33           (7) Intensive in-home intervention services; and

1           (8)    Specialized case management services.

2           (d)    The State matching funds required to cover the Medicaid costs under the  
3 waiver for autistic children shall be certified or otherwise provided by the Maryland  
4 State Department of Education, local school systems, and local lead agencies.

5           (e)    The State matching funds required to cover the Medicaid costs under the  
6 waiver for seriously emotionally disturbed individuals shall be certified or otherwise  
7 provided by the Maryland State Department of Education, local school systems, local  
8 lead agencies, and the Mental Hygiene Administration.

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2014.