

# SENATE BILL 563

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By: Senators Peters, Astle, Cassilly, DeGrange, Klausmeier, ~~and Mathias~~ Mathias, Benson, Feldman, Hershey, Jennings, Middleton, Pugh, and Reilly

Introduced and read first time: February 6, 2015

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Developmental Disabilities Administration and Maryland Medical Assistance**  
3 **Program – Services – Military Families**

4 FOR the purpose of providing that certain dependents who are determined eligible to  
5 receive services from the Developmental Disabilities Administration shall retain  
6 eligibility for the services under certain circumstances; requiring the Administration  
7 to allow certain dependents to remain on a certain waiting list under certain  
8 circumstances; requiring the Administration to ~~resume~~ reinstate certain services for  
9 certain dependents under certain circumstances; providing that certain dependents  
10 who are determined eligible to receive certain services from the Maryland Medical  
11 Assistance Program shall retain eligibility for the services under certain  
12 circumstances; requiring the Department of Health and Mental Hygiene to allow  
13 certain dependents to remain on a certain waiting list under certain circumstances;  
14 requiring the Department to ~~resume~~ reinstate certain services for certain  
15 dependents under certain circumstances; defining a certain term; and generally  
16 relating to the eligibility for and receipt of Developmental Disabilities  
17 Administration and Maryland Medical Assistance Program services by dependents  
18 of military service members.

19 BY adding to

20 Article – Health – General

21 Section 7–404.1 and 15–134.1

22 Annotated Code of Maryland

23 (2009 Replacement Volume and 2014 Supplement)

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

3 **Article – Health – General**

4 **7-404.1.**

5 (A) IN THIS SECTION, “LEGAL RESIDENT” MEANS AN INDIVIDUAL WHO  
6 MAINTAINS THE STATE AS THE INDIVIDUAL’S PRINCIPAL ESTABLISHMENT, HOME OF  
7 RECORD, OR PERMANENT HOME AND TO WHERE, WHENEVER ABSENT DUE TO  
8 MILITARY OBLIGATION, THE INDIVIDUAL INTENDS TO RETURN.

9 (B) A DEPENDENT OF A LEGAL RESIDENT OF THE STATE WHO IS  
10 DETERMINED ELIGIBLE TO RECEIVE SERVICES FROM THE ADMINISTRATION UNDER  
11 THIS TITLE SHALL RETAIN ELIGIBILITY FOR THE SERVICES:

12 (1) REGARDLESS OF WHETHER THE LEGAL RESIDENT LEAVES THE  
13 STATE DUE TO THE LEGAL RESIDENT’S MILITARY ASSIGNMENT OUTSIDE THE STATE;  
14 AND

15 (2) IF THE DEPENDENT IS OTHERWISE ELIGIBLE FOR THE SERVICES.

16 (C) IF A DEPENDENT OF A LEGAL RESIDENT IS ON A WAITING LIST FOR  
17 SERVICES TO BE PROVIDED UNDER THIS TITLE, THE ADMINISTRATION SHALL  
18 ALLOW THE DEPENDENT TO REMAIN ON THE WAITING LIST FOR SERVICES WHILE  
19 THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT’S  
20 MILITARY ASSIGNMENT OUTSIDE THE STATE.

21 (D) THE ADMINISTRATION SHALL ~~RESUME~~ REINSTATE SERVICES  
22 PROVIDED UNDER THIS TITLE TO A DEPENDENT OF A LEGAL RESIDENT WHO  
23 RESIDES WITH THE LEGAL RESIDENT WHILE THE LEGAL RESIDENT IS OUTSIDE THE  
24 STATE DUE TO THE LEGAL RESIDENT’S MILITARY ASSIGNMENT OUTSIDE THE STATE:

25 (1) ON THE RELOCATION OF THE DEPENDENT TO THE STATE; AND

26 (2) IF A REQUEST FOR SERVICES IS MADE.

27 **15-134.1.**

28 (A) IN THIS SECTION, “LEGAL RESIDENT” MEANS AN INDIVIDUAL WHO  
29 MAINTAINS THE STATE AS THE INDIVIDUAL’S PRINCIPAL ESTABLISHMENT, HOME OF  
30 RECORD, OR PERMANENT HOME AND TO WHERE, WHENEVER ABSENT DUE TO  
31 MILITARY OBLIGATION, THE INDIVIDUAL INTENDS TO RETURN.

1 (B) A DEPENDENT OF A LEGAL RESIDENT OF THE STATE WHO IS  
2 DETERMINED ELIGIBLE TO RECEIVE HOME- AND COMMUNITY-BASED WAIVER  
3 SERVICES OR OTHER WAIVER SERVICES FROM THE DEPARTMENT UNDER THIS TITLE  
4 SHALL RETAIN ELIGIBILITY FOR THE SERVICES:

5 (1) REGARDLESS OF WHETHER THE LEGAL RESIDENT LEAVES THE  
6 STATE DUE TO THE LEGAL RESIDENT'S MILITARY ASSIGNMENT OUTSIDE THE STATE;  
7 AND

8 (2) IF THE DEPENDENT IS OTHERWISE ELIGIBLE FOR THE SERVICES.

9 (C) IF A DEPENDENT OF A LEGAL RESIDENT IS ON A WAITING LIST FOR  
10 HOME- AND COMMUNITY-BASED WAIVER SERVICES OR OTHER WAIVER SERVICES TO  
11 BE PROVIDED UNDER THIS TITLE, THE DEPARTMENT SHALL ALLOW THE  
12 DEPENDENT TO REMAIN ON THE WAITING LIST FOR SERVICES WHILE THE LEGAL  
13 RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S MILITARY  
14 ASSIGNMENT OUTSIDE THE STATE.

15 (D) THE DEPARTMENT SHALL ~~RESUME~~ REINSTATE SERVICES PROVIDED  
16 UNDER THIS TITLE TO A DEPENDENT WHO RESIDES WITH THE LEGAL RESIDENT  
17 WHILE THE LEGAL RESIDENT IS OUTSIDE THE STATE DUE TO THE LEGAL RESIDENT'S  
18 MILITARY ASSIGNMENT OUTSIDE THE STATE:

19 (1) ON THE RELOCATION OF THE DEPENDENT TO THE STATE; AND

20 (2) IF A REQUEST FOR SERVICES IS MADE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2015.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.