

HB0595/136884/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Sample-Hughes” and substitute “Sample-Hughes, Queen, Hammen, Cullison, Hill, Kipke, Krebs, Miele, Morgan, Morhaim, Pena-Melnyk, Pendergrass, Rose, Saab, West, and K. Young”; in line 3, after the first “of” insert “requiring a substance use disorder services program to submit annually to the Department of Health and Mental Hygiene financial statements and salary information in accordance with certain regulations;”; strike beginning with the second “of” in line 3 down through “Hygiene” in line 4; in line 7, strike “each” and substitute “certain”; in the same line, strike “year” and substitute “years”; in the same line, after “include” insert “a certain”; in the same line, strike “adjustments” and substitute “adjustment”; strike beginning with “requiring” in line 9 down through “period;” in line 10; in line 13, strike “a certain amount” and substitute “a certain percentage”; in line 14, after “Act;” insert “providing that certain rate increases do not apply in fiscal years in which State employees do not receive certain salary or pay increases; requiring the Governor’s proposed budget to include certain rate adjustments and managed care organizations to pay and adjust certain rates in certain fiscal years after a certain fiscal year under certain circumstances; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date in certain years, beginning on or before a certain date; authorizing the Department to require certain community providers to submit certain information to the Department in the form and manner required by the Department; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; requiring, beginning with reimbursements paid after a certain date, that at least a certain percentage of total reimbursements to community providers be linked to certain outcome measures;”; and after line 15, insert:

“BY repealing and reenacting, with amendments,

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Section 10-901.1
Annotated Code of Maryland
(2015 Replacement Volume)".

AMENDMENT NO. 2

On page 1, after line 23, insert:

"10-901.1.

(a) A community mental health services program AND A SUBSTANCE USE DISORDER SERVICES PROGRAM shall submit annually financial statements and salary information in accordance with the Department's regulations.

(b) The Administration may impose a penalty not exceeding \$500 per day per violation for each day a violation occurs on a licensee that fails to comply with subsection (a) of this section."

On page 2, strike in their entirety lines 8 through 10, inclusive; in line 11, strike "(4)" and substitute "(3)"; in line 19, strike "(D)" and substitute "(E)"; in line 23, strike "(I)"; in line 24, after "THEREAFTER" insert "UNTIL FISCAL YEAR 2021"; in line 25, after "PROVIDERS" insert "OF 2.25%"; and in lines 28 and 31, strike "1." and "2.", respectively, and substitute "(I)" and "(II)", respectively.

On page 3, in line 1, strike "3." and substitute "(III)"; strike in their entirety lines 4 through 8, inclusive; in line 13, strike "IF" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, IF"; in line 14, after "ORGANIZATIONS" insert "IN FISCAL YEARS 2018 THROUGH 2021"; strike beginning with "THE" in line 20 down through "SECTION" in line 21 and substitute "2.25% BASED ON THE RATE IN THE IMMEDIATELY PRECEDING FISCAL YEAR.

(E) (1) SUBSECTIONS (C) AND (D) OF THIS SECTION DO NOT APPLY IN FISCAL YEARS IN WHICH STATE EMPLOYEES DO NOT RECEIVE A GENERAL SALARY INCREASE OR A PAY INCREASE IN ACCORDANCE WITH § 8-106 OF THE STATE PERSONNEL AND PENSIONS ARTICLE IN THE STATE BUDGET.

(2) IF COMMUNITY PROVIDERS DO NOT RECEIVE A RATE ADJUSTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION IN ANY FISCAL YEAR FROM FISCAL YEAR 2018 THROUGH FISCAL YEAR 2021, THE GOVERNOR'S PROPOSED BUDGET SHALL INCLUDE A RATE ADJUSTMENT IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION AND THE MANAGED CARE ORGANIZATIONS SHALL PAY AND ADJUST RATES IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION IN THE FIRST FISCAL YEAR AFTER FISCAL YEAR 2021 IN WHICH STATE EMPLOYEES RECEIVE A GENERAL INCREASE OR A PAY INCREASE AND EACH SUCCESSIVE YEAR STATE EMPLOYEES RECEIVE A GENERAL INCREASE OR A PAY INCREASE UNTIL THERE HAVE BEEN A TOTAL OF FOUR RATE ADJUSTMENTS.

(F) (1) ON OR BEFORE DECEMBER 1, 2018, AND ON OR BEFORE DECEMBER 1 OF EACH YEAR THEREAFTER IN WHICH A RATE ADJUSTMENT WAS MADE IN ACCORDANCE WITH THIS SECTION, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE IMPACT OF THE REIMBURSEMENT RATE ADJUSTMENT REQUIRED UNDER THIS SECTION ON COMMUNITY PROVIDERS, INCLUDING THE IMPACT ON:

(I) THE WAGES AND SALARIES PAID AND THE BENEFITS PROVIDED TO DIRECT CARE STAFF AND LICENSED CLINICIANS EMPLOYED BY COMMUNITY PROVIDERS;

(II) THE TENURE AND TURNOVER OF DIRECT CARE STAFF AND LICENSED CLINICIANS EMPLOYED BY COMMUNITY PROVIDERS; AND

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(III) THE ABILITY OF COMMUNITY PROVIDERS TO RECRUIT QUALIFIED DIRECT CARE STAFF AND LICENSED CLINICIANS.

(2) THE DEPARTMENT MAY REQUIRE A COMMUNITY PROVIDER TO SUBMIT, IN THE FORM AND MANNER REQUIRED BY THE DEPARTMENT, INFORMATION THAT THE DEPARTMENT DEEMS NECESSARY FOR COMPLETION OF THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(G) (1) ON OR BEFORE DECEMBER 1, 2017, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY DETAILING OUTCOME MEASURES THAT REASONABLY CAN BE COLLECTED FOR EACH TREATMENT MODALITY OFFERED BY COMMUNITY PROVIDERS.

(2) THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE RECOMMENDATIONS TO TIE REIMBURSEMENT TO OUTCOMES INCLUDING:

(I) DIFFERENTIAL PAYMENT FOR IMPLEMENTATION OF, AND ADHERENCE TO, EVIDENCE-BASED PRACTICES;

(II) DIFFERENTIAL PAYMENT BASED ON OUTCOMES; AND

(III) ANY OTHER FINANCIAL PAYMENT SYSTEM LINKING REIMBURSEMENT TO OUTCOMES.

(3) BEGINNING WITH REIMBURSEMENTS PAID AFTER JULY 1, 2018, AT LEAST 2.25% OF TOTAL REIMBURSEMENTS TO COMMUNITY PROVIDERS

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**SHALL BE LINKED TO OUTCOME MEASURES THAT ARE RECOMMENDED IN THE
REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**".