

# SENATE BILL 671

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CF HB 752

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By: **Senators Kelley and Lee**

Introduced and read first time: February 3, 2017

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Human Resources – Public Assistance Eligibility – Financial**  
3 **Records**

4 FOR the purpose of requiring the Department of Human Resources, on a showing by an  
5 applicant that the applicant has been unable to obtain from a certain fiduciary  
6 institution financial records necessary to establish the applicant's eligibility or  
7 ineligibility for public assistance, to request and obtain the records; and generally  
8 relating to obtaining financial records to establish an individual's eligibility for  
9 public assistance.

10 BY repealing and reenacting, with amendments,  
11 Article – Human Services  
12 Section 5–604  
13 Annotated Code of Maryland  
14 (2007 Volume and 2016 Supplement)

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

17 **Article – Human Services**

18 5–604.

19 (a) The Department may request and obtain from a fiduciary institution doing  
20 business in the State any financial records that the Department determines are necessary  
21 to verify or confirm an individual's eligibility or ineligibility for public assistance.

22 **(B) ON A SHOWING BY AN APPLICANT THAT THE APPLICANT HAS BEEN**  
23 **UNABLE TO OBTAIN FROM A FIDUCIARY INSTITUTION DOING BUSINESS IN THE**  
24 **STATE FINANCIAL RECORDS NECESSARY TO ESTABLISH THE APPLICANT'S**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ELIGIBILITY OR INELIGIBILITY FOR PUBLIC ASSISTANCE, THE DEPARTMENT SHALL**  
2 **REQUEST AND OBTAIN THE RECORDS.**

3       **[(b)] (C)**     (1)   (i)   The Department shall adopt regulations governing  
4 procedures for requesting, obtaining, and examining financial records that the Department  
5 determines are necessary to verify or confirm an individual's eligibility or ineligibility for  
6 public assistance.

7                   (ii)   The regulations shall include reimbursement schedules  
8 necessary to compensate fiduciary institutions for complying with this section.

9                   (2)   The Secretary shall notify a fiduciary institution of the officers or  
10 employees of the Department who are authorized to request and receive financial records  
11 from the fiduciary institution.

12                  (3)   An individual authorized to receive information under this section may  
13 not disclose any personally identifiable information obtained or maintained under this  
14 section.

15       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2017.