

HOUSE BILL 851

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8lr2785

By: **Delegate Reznik**

Introduced and read first time: February 2, 2018

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Medicaid and the Maryland Children’s Health Program – Home and**
3 **Community–Based Providers – Funding**

4 FOR the purpose of requiring that the Governor’s proposed budget for a certain fiscal year,
5 and for each fiscal year thereafter, include a certain rate increase for certain home
6 and community–based providers over the funding provided in a certain legislative
7 appropriation; defining a certain term; and generally relating to home and
8 community–based services and supports under the Maryland Medical Assistance
9 Program and the Maryland Children’s Health Program.

10 BY adding to

11 Article – Health – General

12 Section 15–1101 and 15–1102 to be under the new subtitle “Subtitle 11. Funding for
13 Home and Community–Based Providers”

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2017 Supplement)

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

18 **Article – Health – General**

19 **SUBTITLE 11. FUNDING FOR HOME AND COMMUNITY–BASED PROVIDERS.**

20 **15–1101.**

21 **(A) IN THIS SUBTITLE, “HOME AND COMMUNITY–BASED PROVIDER” MEANS**
22 **A PROVIDER OF SERVICES TO PROGRAM OR MARYLAND CHILDREN’S HEALTH**
23 **PROGRAM RECIPIENTS UNDER:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(1) THE MEDICAL DAY CARE SERVICES WAIVER;**
2 **(2) THE HOME AND COMMUNITY–BASED OPTIONS WAIVER;**
3 **(3) THE MODEL WAIVER FOR MEDICALLY FRAGILE CHILDREN;**
4 **(4) THE BRAIN INJURY WAIVER;**
5 **(5) THE COMMUNITY FIRST CHOICE PROGRAM;**
6 **(6) THE COMMUNITY PERSONAL ASSISTANCE PROGRAM;**
7 **(7) THE EMPLOYED INDIVIDUALS WITH DISABILITIES PROGRAM;**
8 **(8) THE PROGRAM OF ALL–INCLUSIVE CARE FOR THE ELDERLY; OR**
9 **(9) ANY OTHER PROGRAM THAT PROVIDES HOME OR**
10 **COMMUNITY–BASED SERVICES OR SUPPORTS.**

11 **(B) “HOME AND COMMUNITY–BASED PROVIDER” INCLUDES A PROVIDER**
12 **OF:**

- 13 **(1) MEDICAL DAY CARE SERVICES; AND**
14 **(2) PRIVATE DUTY NURSING SERVICES.**

15 **15–1102.**

16 **THE GOVERNOR’S PROPOSED BUDGET FOR FISCAL YEAR 2020, AND FOR EACH**
17 **FISCAL YEAR THEREAFTER, SHALL INCLUDE A 3.5% RATE INCREASE FOR HOME AND**
18 **COMMUNITY–BASED PROVIDERS OVER THE FUNDING PROVIDED IN THE**
19 **LEGISLATIVE APPROPRIATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR**
20 **FOR HOME AND COMMUNITY–BASED PROVIDERS.**

21 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
22 **1, 2018.**