

HOUSE BILL 111

O1, C5, J1

(3lr0449)

ENROLLED BILL

— Health and Government Operations/Finance —

Introduced by ~~Delegate Charkoudian~~ Delegates Charkoudian, Pena-Melnyk, Cullison, Alston, Bagnall, Bhandari, Guzzone, Hill, S. Johnson, Kaiser, Kerr, R. Lewis, Lopez, Martinez, Rosenberg, Taveras, White, and Woods

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program, ~~and~~, Maryland Children's Health**
3 **Program, ~~and Social Services Programs — Eligibility and Enrollment, and~~**
4 **Workgroup on Low-Income Utility Assistance**

5 FOR the purpose of requiring the Maryland Department of Health to establish an Express
6 Lane Eligibility Program to enroll individuals, based on certain eligibility, in the
7 Maryland Medical Assistance Program and the Maryland Children's Health
8 Program; requiring the Workgroup on Low-Income Utility Assistance to submit a
9 final report to certain committees of the General Assembly on or before a certain date
10 with certain recommendations; ~~requiring the Department of Human Services to~~
11 ~~enroll individuals, based on certain eligibility, in the Supplemental Nutrition~~
12 ~~Assistance Program; requiring the Office of Home Energy Programs to enroll~~
13 ~~individuals, based on certain eligibility, in certain Office of Home Energy Programs~~

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.

Italics indicate opposite chamber/conference committee amendments.



~~assistance programs; altering the eligibility requirements for the electric universal service program; and generally relating to eligibility for and enrollment in the Maryland Medical Assistance Program and, social services programs the Maryland Children's Health Program, and the Workgroup on Low-Income Utility Assistance.~~

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 15–103(a)(1)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)

BY adding to
 Article – Health – General
 Section 15–103(a)(5)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)

~~BY repealing and reenacting, with amendments,
 Article – Human Services
 Section 5–501 and 5–5A–07
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)~~

~~BY repealing and reenacting, without amendments,
 Article – Human Services
 Section 5–5A–01(a) and (d)
 Annotated Code of Maryland
 (2019 Replacement Volume and 2022 Supplement)~~

~~BY repealing and reenacting, with amendments,
 Article – Public Utilities
 Section 7–512.1(a)(1)
 Annotated Code of Maryland
 (2020 Replacement Volume and 2022 Supplement)~~

BY repealing and reenacting, without amendments,
 Chapter 638 of the Acts of the General Assembly of 2021
 Section 3(a)

BY repealing and reenacting, with amendments,
 Chapter 638 of the Acts of the General Assembly of 2021
 Section 3(g)

BY repealing and reenacting, without amendments,
 Chapter 639 of the Acts of the General Assembly of 2021
 Section 3(a)

1 BY repealing and reenacting, with amendments,
 2 Chapter 639 of the Acts of the General Assembly of 2021
 3 Section 3(g)

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

6 **Article – Health – General**

7 15–103.

8 (a) (1) The Secretary shall administer the Maryland Medical Assistance
 9 Program.

10 (5) ON OR BEFORE JANUARY 1, 2025, SUBJECT TO THE LIMITATIONS
 11 OF THE STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW, THE DEPARTMENT:

12 (I) SHALL ESTABLISH AN EXPRESS LANE ELIGIBILITY
 13 PROGRAM TO ENROLL INDIVIDUALS IN THE MARYLAND MEDICAL ASSISTANCE
 14 PROGRAM AND MARYLAND CHILDREN’S HEALTH PROGRAM BASED ON ELIGIBILITY
 15 FINDINGS BY THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;

16 (II) MAY NOT CONSIDER ANY OTHER INCOME OR ELIGIBILITY
 17 REQUIREMENTS;

18 (III) TO THE EXTENT THAT A WAIVER IS NEEDED TO MAXIMIZE
 19 THE NUMBER OF STATE RESIDENTS WHO MAY QUALIFY FOR THE EXPRESS LANE
 20 ELIGIBILITY PROGRAM, SHALL APPLY TO THE CENTERS FOR MEDICARE AND
 21 MEDICAID SERVICES FOR ~~A WAIVER~~ ONE OR MORE WAIVERS UNDER § 1115 OF THE
 22 FEDERAL SOCIAL SECURITY ACT TO IMPLEMENT THE EXPRESS LANE ELIGIBILITY
 23 PROGRAM; AND

24 (IV) SHALL MAKE ALL REASONABLE EFFORTS TO EXPEDITE
 25 ENROLLMENT OF ELIGIBLE INDIVIDUALS IN THE EXPRESS LANE ELIGIBILITY
 26 PROGRAM, PROVIDED THAT THE DEPARTMENT MAY PROPOSE OR IMPLEMENT THE
 27 USE OF EXPRESS LANE ELIGIBILITY FOR RENEWALS BEFORE PROPOSING OR
 28 IMPLEMENTING THE USE OF EXPRESS LANE ELIGIBILITY FOR INITIAL
 29 ENROLLMENT.

30 ~~Article – Human Services~~

31 ~~5–501.~~

32 (a) (1) ~~The Department may implement a Supplemental Nutrition Assistance~~
 33 ~~Program in accordance with the federal Supplemental Nutrition Assistance Program.~~

1 ~~(2) The Supplemental Nutrition Assistance Program shall include:~~

2 ~~(i) a Restaurant Meals Program in accordance with § 5-505 of this~~
3 ~~subtitle; and~~

4 ~~(ii) a Heat and Eat Program in accordance with § 5-506 of this~~
5 ~~subtitle.~~

6 ~~(b) The State shall bear the nonfederal portion of the administrative costs of the~~
7 ~~Supplemental Nutrition Assistance Program for each county.~~

8 ~~(c) Each local department shall administer the Supplemental Nutrition~~
9 ~~Assistance Program:~~

10 ~~(1) under the supervision and control of the Department; and~~

11 ~~(2) in accordance with the regulations of the Department and federal law.~~

12 ~~(d) If a household includes an individual who is at least 62 years old and receives~~
13 ~~a federally funded benefit in an amount less than \$40 per month under the Supplemental~~
14 ~~Nutrition Assistance Program, the State shall provide a supplement to increase the total~~
15 ~~benefit to \$40 per month.~~

16 ~~(e) THE DEPARTMENT SHALL ENROLL IN THE SUPPLEMENTAL NUTRITION~~
17 ~~ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY~~
18 ~~REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF~~
19 ~~SUPPLEMENTAL SECURITY INCOME.~~

20 ~~5-5A-01.~~

21 ~~(a) In this subtitle the following words have the meanings indicated.~~

22 ~~(d) "Office" means the Office of Home Energy Programs.~~

23 ~~5-5A-07.~~

24 ~~(a) (1) The Office shall:~~

25 ~~(i) carry out an energy emergency crisis intervention program to~~
26 ~~prevent low income households, including the near poor, the elderly, households with~~
27 ~~children, and those on fixed incomes from experiencing danger to health or survival as a~~
28 ~~result of an energy emergency;~~

29 ~~(ii) establish intake procedures for those experiencing an energy~~
30 ~~emergency;~~

1 (iii) ~~establish guidelines for the income and program eligibility of~~
2 ~~applicants; and~~

3 (iv) ~~identify local public or private agencies to administer the crisis~~
4 ~~intervention program.~~

5 (2) (i) ~~The Office shall make payments to fuel vendors and utility~~
6 ~~vendors that have provided service to persons qualifying for the crisis intervention~~
7 ~~program.~~

8 (ii) ~~The amount of assistance shall be based on need.~~

9 (b) (1) ~~The Office shall carry out one or more fuel and utility assistance~~
10 ~~programs to make payments on behalf of qualified households to defray fuel and utility~~
11 ~~costs.~~

12 (2) (1) ~~The Office shall determine program and income eligibility~~
13 ~~guidelines.~~

14 (H) ~~THE OFFICE SHALL ENROLL IN ANY FUEL AND UTILITY~~
15 ~~ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY~~
16 ~~REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF:~~

17 ~~1. THE SUPPLEMENTAL NUTRITION ASSISTANCE~~
18 ~~PROGRAM;~~

19 ~~2. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES;~~

20 ~~3. SUPPLEMENTAL SECURITY INCOME; OR~~

21 ~~4. MEANS TESTED VETERANS AFFAIRS BENEFITS.~~

22 (3) ~~The amount of assistance shall be based on need.~~

23 (e) ~~For fiscal year 2023 only, the Governor shall appropriate to the Office an~~
24 ~~amount equal to the unexpended appropriation to the Office for fiscal year 2021 funding~~
25 ~~that was included in Supplemental Budget No. 5.~~

26 ~~Article — Public Utilities~~

27 ~~7-512.1.~~

28 (a) (1) ~~The Commission shall establish an electric universal service program~~
29 ~~to assist electric customers with annual incomes[;~~

1 (i) ~~at or below 175% of the federal poverty level; or~~

2 (ii) ~~for a customer at least 67 years of age,] at or below 200% of the~~
3 ~~federal poverty level.~~

4 **Chapter 638 of the Acts of 2021**

5 SECTION 3. AND BE IT FURTHER ENACTED, That:

6 (a) There is a Workgroup on Low-Income Utility Assistance.

7 (g) (1) The Workgroup shall submit [a] AN INITIAL report of the study,
8 findings, and recommendations, including recommended legislation and regulatory
9 changes, to the Senate Finance Committee and the House Economic Matters Committee, in
10 accordance with § 2-1257 of the State Government Article, on or before January 1, 2022.

11 (2) THE WORKGROUP SHALL SUBMIT A FINAL REPORT OF THE STUDY,
12 FINDINGS, AND RECOMMENDATIONS, INCLUDING RECOMMENDED LEGISLATION AND
13 REGULATORY CHANGES, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE
14 ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE
15 GOVERNMENT ARTICLE, ON OR BEFORE JANUARY 1, 2024.

16 **Chapter 639 of the Acts of 2021**

17 SECTION 3. AND BE IT FURTHER ENACTED, That:

18 (a) There is a Workgroup on Low-Income Utility Assistance.

19 (g) (1) The Workgroup shall submit [a] AN INITIAL report of the study,
20 findings, and recommendations, including recommended legislation and regulatory
21 changes, to the Senate Finance Committee and the House Economic Matters Committee, in
22 accordance with § 2-1257 of the State Government Article, on or before January 1, 2022.

23 (2) THE WORKGROUP SHALL SUBMIT A FINAL REPORT OF THE STUDY,
24 FINDINGS, AND RECOMMENDATIONS, INCLUDING RECOMMENDED LEGISLATION AND
25 REGULATORY CHANGES, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE
26 ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE
27 GOVERNMENT ARTICLE, ON OR BEFORE JANUARY 1, 2024.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2023.