

HOUSE BILL 111

O1, C5, J1

(PRE-FILED)

3lr0449
CF SB 26

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

Requested: September 26, 2022

Introduced and read first time: January 11, 2023

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2023

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program, and Maryland Children's Health**
3 **Program, ~~and Social Services Programs~~ – Eligibility and Enrollment**

4 FOR the purpose of requiring the Maryland Department of Health to establish an Express
5 Lane Eligibility Program to enroll individuals, based on certain eligibility, in the
6 Maryland Medical Assistance Program and the Maryland Children's Health
7 Program; ~~requiring the Department of Human Services to enroll individuals, based~~
8 ~~on certain eligibility, in the Supplemental Nutrition Assistance Program; requiring~~
9 ~~the Office of Home Energy Programs to enroll individuals, based on certain~~
10 ~~eligibility, in certain Office of Home Energy Programs assistance programs; altering~~
11 ~~the eligibility requirements for the electric universal service program; and generally~~
12 relating to eligibility for and enrollment in the Maryland Medical Assistance
13 Program and ~~social services programs~~ the Maryland Children's Health Program.

14 BY repealing and reenacting, without amendments,
15 Article – Health – General
16 Section 15-103(a)(1)
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2022 Supplement)

19 BY adding to
20 Article – Health – General

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 15–103(a)(5)
2 Annotated Code of Maryland
3 (2019 Replacement Volume and 2022 Supplement)

4 ~~BY repealing and reenacting, with amendments,~~
5 ~~Article – Human Services~~
6 ~~Section 5–501 and 5–5A–07~~
7 ~~Annotated Code of Maryland~~
8 ~~(2019 Replacement Volume and 2022 Supplement)~~

9 ~~BY repealing and reenacting, without amendments,~~
10 ~~Article – Human Services~~
11 ~~Section 5–5A–01(a) and (d)~~
12 ~~Annotated Code of Maryland~~
13 ~~(2019 Replacement Volume and 2022 Supplement)~~

14 ~~BY repealing and reenacting, with amendments,~~
15 ~~Article – Public Utilities~~
16 ~~Section 7–512.1(a)(1)~~
17 ~~Annotated Code of Maryland~~
18 ~~(2020 Replacement Volume and 2022 Supplement)~~

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

21 **Article – Health – General**

22 15–103.

23 (a) (1) The Secretary shall administer the Maryland Medical Assistance
24 Program.

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

27 **(I) SHALL ESTABLISH AN EXPRESS LANE ELIGIBILITY**
28 **PROGRAM TO ENROLL INDIVIDUALS IN THE MARYLAND MEDICAL ASSISTANCE**
29 **PROGRAM AND MARYLAND CHILDREN’S HEALTH PROGRAM BASED ON ELIGIBILITY**
30 **FINDINGS BY THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;**

31 **(II) MAY NOT CONSIDER ANY OTHER INCOME OR ELIGIBILITY**
32 **REQUIREMENTS;**

33 **(III) TO THE EXTENT THAT A WAIVER IS NEEDED TO MAXIMIZE**
34 **THE NUMBER OF STATE RESIDENTS WHO MAY QUALIFY FOR THE EXPRESS LANE**
35 **ELIGIBILITY PROGRAM, SHALL APPLY TO THE CENTERS FOR MEDICARE AND**

1 ~~MEDICAID SERVICES FOR A WAIVER~~ ONE OR MORE WAIVERS UNDER § 1115 OF THE
 2 FEDERAL SOCIAL SECURITY ACT TO IMPLEMENT THE EXPRESS LANE ELIGIBILITY
 3 PROGRAM; AND

4 (IV) SHALL MAKE ALL REASONABLE EFFORTS TO EXPEDITE
 5 ENROLLMENT OF ELIGIBLE INDIVIDUALS IN THE EXPRESS LANE ELIGIBILITY
 6 PROGRAM, PROVIDED THAT THE DEPARTMENT MAY PROPOSE OR IMPLEMENT THE
 7 USE OF EXPRESS LANE ELIGIBILITY FOR RENEWALS BEFORE PROPOSING OR
 8 IMPLEMENTING THE USE OF EXPRESS LANE ELIGIBILITY FOR INITIAL
 9 ENROLLMENT.

10 ~~Article — Human Services~~

11 ~~§ 501.~~

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

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

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

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

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

21 (c) ~~Each local department shall administer the Supplemental Nutrition~~
 22 ~~Assistance Program:~~

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

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

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

29 (E) ~~THE DEPARTMENT SHALL ENROLL IN THE SUPPLEMENTAL NUTRITION~~
 30 ~~ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY~~
 31 ~~REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF~~
 32 ~~SUPPLEMENTAL SECURITY INCOME.~~

1 ~~5-5A-01.~~

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

3 (d) ~~“Office” means the Office of Home Energy Programs.~~

4 ~~5-5A-07.~~

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

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

10 (ii) ~~establish intake procedures for those experiencing an energy~~
 11 ~~emergency;~~

12 (iii) ~~establish guidelines for the income and program eligibility of~~
 13 ~~applicants; and~~

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

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

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

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

23 (2) (1) ~~The Office shall determine program and income eligibility~~
 24 ~~guidelines.~~

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

28 ~~1. THE SUPPLEMENTAL NUTRITION ASSISTANCE~~
 29 ~~PROGRAM;~~

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

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

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

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

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

7 ~~Article — Public Utilities~~

8 ~~7-512.1.~~

9 ~~(a) (1) The Commission shall establish an electric universal service program~~
10 ~~to assist electric customers with annual incomes:]~~

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.