

HOUSE BILL 1157

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3lr2454
CF SB 688

By: **Delegate S. Johnson**

Introduced and read first time: February 10, 2023

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Employed Persons with Disabilities**
3 **Program – Eligibility**

4 FOR the purpose of prohibiting the Maryland Department of Health from limiting
5 eligibility to receive services under the Employed Persons with Disabilities Program
6 based on certain criteria; and generally relating to the Maryland Medical Assistance
7 Program and services for individuals with disabilities.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 15–138
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2022 Supplement)

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

15 **Article – Health – General**

16 15–138.

17 (a) **[To] SUBJECT TO SUBSECTION (C) OF THIS SECTION AND TO** the extent
18 that funding is available in the State budget, the Maryland Department of Health shall
19 implement the Employed Persons with Disabilities Program by July 1, 2005.

20 (b) The purpose of the Employed Persons with Disabilities Program is to
21 encourage individuals with disabilities to seek or maintain employment.

22 **(C) (1) THE DEPARTMENT MAY NOT LIMIT ELIGIBILITY TO RECEIVE**
23 **SERVICES UNDER THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM BASED**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ON:

2 (I) THE EARNED OR UNEARNED INCOME OF THE APPLICANT OR
3 THE APPLICANT'S SPOUSE; OR

4 (II) ANY ASSETS OR RESOURCES OF THE APPLICANT OR THE
5 APPLICANT'S SPOUSE.

6 (2) THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR
7 MEDICARE AND MEDICAID SERVICES FOR ANY AMENDMENTS TO THE STATE PLAN,
8 WAIVERS, OR OTHER FEDERAL APPROVALS NECESSARY TO IMPLEMENT THE
9 REQUIREMENT OF THIS SUBSECTION.

10 [(c)] (D) (1) The Secretary shall adopt regulations that develop specific
11 eligibility criteria for participation in the Employed Persons with Disabilities Program.

12 (2) Prior to adopting the regulations required under paragraph (1) of this
13 subsection, the Department shall:

14 (i) Consult with the Coalition for Work Incentives Improvement;
15 and

16 (ii) Give preference to the recommendations for eligibility criteria
17 developed by the Coalition.

18 [(d)] (E) At least every 3 years after the adoption of the regulations required
19 under subsection [(c)] (D) of this section, the Department shall review the regulations in
20 consultation with the Coalition for Work Incentives Improvement.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of
22 Health shall implement this Act on or before October 1, 2023.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2023.