

SENATE BILL 26

O1, C5, J1

(PRE-FILED)

3lr0503
CF HB 111

By: **Senator Augustine**

Requested: October 5, 2022

Introduced and read first time: January 11, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program, Maryland Children's Health Program,**
3 **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.

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
21 Section 15–103(a)(5)
22 Annotated Code of Maryland
23 (2019 Replacement Volume and 2022 Supplement)

24 BY repealing and reenacting, with amendments,
25 Article – Human Services
26 Section 5–501 and 5–5A–07
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2019 Replacement Volume and 2022 Supplement)

2 BY repealing and reenacting, without amendments,
3 Article – Human Services
4 Section 5–5A–01(a) and (d)
5 Annotated Code of Maryland
6 (2019 Replacement Volume and 2022 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article – Public Utilities
9 Section 7–512.1(a)(1)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2022 Supplement)

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

14 **Article – Health – General**

15 15–103.

16 (a) (1) The Secretary shall administer the Maryland Medical Assistance
17 Program.

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

20 **(I) SHALL ESTABLISH AN EXPRESS LANE ELIGIBILITY**
21 **PROGRAM TO ENROLL INDIVIDUALS IN THE MARYLAND MEDICAL ASSISTANCE**
22 **PROGRAM AND MARYLAND CHILDREN’S HEALTH PROGRAM BASED ON ELIGIBILITY**
23 **FINDINGS BY THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;**

24 **(II) MAY NOT CONSIDER ANY OTHER INCOME OR ELIGIBILITY**
25 **REQUIREMENTS;**

26 **(III) TO THE EXTENT THAT A WAIVER IS NEEDED TO MAXIMIZE**
27 **THE NUMBER OF STATE RESIDENTS WHO MAY QUALIFY FOR THE EXPRESS LANE**
28 **ELIGIBILITY PROGRAM, SHALL APPLY TO THE CENTERS FOR MEDICARE AND**
29 **MEDICAID SERVICES FOR A WAIVER UNDER § 1115 OF THE FEDERAL SOCIAL**
30 **SECURITY ACT TO IMPLEMENT THE EXPRESS LANE ELIGIBILITY PROGRAM; AND**

31 **(IV) SHALL MAKE ALL REASONABLE EFFORTS TO EXPEDITE**
32 **ENROLLMENT OF ELIGIBLE INDIVIDUALS IN THE EXPRESS LANE ELIGIBILITY**
33 **PROGRAM.**

Article – Human Services

1
2 5–501.

3 (a) (1) The Department may implement a Supplemental Nutrition Assistance
4 Program in accordance with the federal Supplemental Nutrition Assistance Program.

5 (2) The Supplemental Nutrition Assistance Program shall include:

6 (i) a Restaurant Meals Program in accordance with § 5–505 of this
7 subtitle; and

8 (ii) a Heat and Eat Program in accordance with § 5–506 of this
9 subtitle.

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

12 (c) Each local department shall administer the Supplemental Nutrition
13 Assistance Program:

14 (1) under the supervision and control of the Department; and

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

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

20 **(E) THE DEPARTMENT SHALL ENROLL IN THE SUPPLEMENTAL NUTRITION**
21 **ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY**
22 **REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF**
23 **SUPPLEMENTAL SECURITY INCOME.**

24 5–5A–01.

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

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

27 5–5A–07.

28 (a) (1) The Office shall:

29 (i) carry out an energy emergency crisis intervention program to
30 prevent low-income households, including the near poor, the elderly, households with

1 children, and those on fixed incomes from experiencing danger to health or survival as a
2 result of an energy emergency;

3 (ii) establish intake procedures for those experiencing an energy
4 emergency;

5 (iii) establish guidelines for the income and program eligibility of
6 applicants; and

7 (iv) identify local public or private agencies to administer the crisis
8 intervention program.

9 (2) (i) The Office shall make payments to fuel vendors and utility
10 vendors that have provided service to persons qualifying for the crisis intervention
11 program.

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

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

16 (2) (I) The Office shall determine program and income eligibility
17 guidelines.

18 (II) **THE OFFICE SHALL ENROLL IN ANY FUEL AND UTILITY**
19 **ASSISTANCE PROGRAM ANY INDIVIDUAL WHO MEETS THE FINANCIAL ELIGIBILITY**
20 **REQUIREMENTS ESTABLISHED BY THE DEPARTMENT FOR A RECIPIENT OF:**

21 **1. THE SUPPLEMENTAL NUTRITION ASSISTANCE**
22 **PROGRAM;**

23 **2. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES;**

24 **3. SUPPLEMENTAL SECURITY INCOME; OR**

25 **4. MEANS-TESTED VETERANS AFFAIRS BENEFITS.**

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

27 (c) For fiscal year 2023 only, the Governor shall appropriate to the Office an
28 amount equal to the unexpended appropriation to the Office for fiscal year 2021 funding
29 that was included in Supplemental Budget No. 5.

30 **Article – Public Utilities**

1 7-512.1.

2 (a) (1) The Commission shall establish an electric universal service program
3 to assist electric customers with annual incomes[:

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

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

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