

SENATE BILL 991

J1

4r3186
CF 4r1252

By: **Senator Lam**

Introduced and read first time: February 2, 2024

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 28, 2024

CHAPTER _____

1 AN ACT concerning

2 **Behavioral Health – Language Assistance Services Pilot Program**

3 FOR the purpose of establishing the Language Assistance Services Pilot Program in the
4 Behavioral Health Administration to provide grants to local behavioral health
5 authorities to reimburse behavioral health providers for language assistance
6 services for certain children, parents, and legal guardians; and generally relating to
7 the Language Assistance Services Pilot Program.

8 BY adding to

9 Article – Health – General

10 Section 10–929 to be under the new part “Part V. Language Assistance Services Pilot
11 Program”

12 Annotated Code of Maryland
13 (2023 Replacement Volume)

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

16 **Article – Health – General**

17 **10–927. RESERVED.**

18 **10–928. RESERVED.**

19 **PART V. LANGUAGE ASSISTANCE SERVICES PILOT PROGRAM.**

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 **10-929.**

2 (A) IN THIS SECTION, "PROGRAM" MEANS THE LANGUAGE ASSISTANCE
3 SERVICES PILOT PROGRAM.

4 (B) THERE IS A LANGUAGE ASSISTANCE SERVICES PILOT PROGRAM.

5 (C) THE PURPOSE OF THE PROGRAM IS TO:

6 (1) PROVIDE MEANINGFUL ACCESS TO BEHAVIORAL HEALTH CARE
7 TO CHILDREN WITH LIMITED ENGLISH PROFICIENCY; AND

8 (2) ESTABLISH A COMPETITIVE GRANT PROCESS FOR LOCAL
9 BEHAVIORAL HEALTH AUTHORITIES TO PROVIDE REIMBURSEMENT TO BEHAVIORAL
10 HEALTH PROVIDERS FOR LANGUAGE ASSISTANCE SERVICES, INCLUDING
11 INTERPRETATION AND TRANSLATION SERVICES TO:

12 (I) CHILDREN WITH LIMITED ENGLISH PROFICIENCY
13 ACCESSING AND RECEIVING BEHAVIORAL HEALTH SERVICES; AND

14 (II) PARENTS AND LEGAL GUARDIANS COORDINATING THE
15 PROVISION OF BEHAVIORAL HEALTH SERVICES AND MAKING HEALTH CARE
16 DECISIONS REGARDING THE SERVICES ON BEHALF OF A CHILD.

17 (D) THE ADMINISTRATION SHALL ADMINISTER THE PROGRAM.

18 (E) ON OR BEFORE OCTOBER 1, 2024, THE ADMINISTRATION SHALL ADOPT
19 REGULATIONS TO IMPLEMENT AND ADMINISTER THE PROGRAM, INCLUDING
20 REGULATIONS THAT ESTABLISH THE FOLLOWING:

21 (1) A REQUIREMENT THAT A GRANTEE DOCUMENT AND REPORT:

22 (I) THE NUMBER OF CHILDREN WHO RECEIVED LANGUAGE
23 ASSISTANCE SERVICES BROKEN DOWN BY PRIMARY LANGUAGE SPOKEN;

24 (II) THE NUMBER OF PARENTS AND LEGAL GUARDIANS WHO
25 RECEIVED LANGUAGE ASSISTANCE SERVICES BROKEN DOWN BY PRIMARY
26 LANGUAGE SPOKEN; AND

27 (III) THE NUMBER OF LANGUAGE ASSISTANCE SERVICES THAT
28 WERE REIMBURSED BROKEN DOWN BY THE TYPE OF BEHAVIORAL HEALTH SERVICE
29 PROVIDED; AND

1 **(2) A REQUIREMENT THAT, TO REQUEST AND RECEIVE A**
2 **REIMBURSEMENT FROM A PROGRAM GRANTEE, A HEALTH CARE PROVIDER MUST:**

3 **(I) BE A LICENSED AND ACCREDITED BEHAVIORAL HEALTH**
4 **PROVIDER; AND**

5 **(II) HAVE A CURRENT, WRITTEN LANGUAGE ACCESS PLAN**
6 **DEMONSTRATING HOW THE PROVIDER ENSURES MEANINGFUL ACCESS TO ITS**
7 **PROGRAMS AND ACTIVITIES FOR INDIVIDUALS WITH LIMITED ENGLISH**
8 **PROFICIENCY.**

9 **(F) THE LANGUAGE ACCESS PLAN REQUIRED UNDER SUBSECTION (E)(2)(II)**
10 **OF THIS SECTION SHALL:**

11 **(1) BE PROVIDED TO THE GRANTEE IN ADDITION TO ANY REQUEST**
12 **FOR REIMBURSEMENT FOR LANGUAGE ASSISTANCE SERVICES; AND**

13 **(2) INCLUDE:**

14 **(I) A SELF-ASSESSMENT OF THE CIRCUMSTANCES UNDER**
15 **WHICH THE PROVIDER MAY ENCOUNTER AN INDIVIDUAL WITH LIMITED ENGLISH**
16 **PROFICIENCY;**

17 **(II) A SELF-ASSESSMENT OF THE NUMBER OR PROPORTION OF**
18 **INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY FROM EACH LANGUAGE GROUP**
19 **IN THE PROVIDER'S SERVICE AREA TO DETERMINE APPROPRIATE LANGUAGE**
20 **ASSISTANCE SERVICES;**

21 **(III) THE PROVIDER'S PROCEDURE FOR IDENTIFYING AN**
22 **INDIVIDUAL'S PRIMARY LANGUAGE;**

23 **(IV) THE PROVIDER'S PROCEDURE FOR PROVIDING LANGUAGE**
24 **ASSISTANCE SERVICES, INCLUDING ORAL AND WRITTEN LANGUAGE ASSISTANCE**
25 **SERVICES;**

26 **(V) THE PROVIDER'S PROCEDURE FOR ENSURING EFFECTIVE**
27 **COMMUNICATION WITH INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY IN**
28 **LANGUAGES ENCOUNTERED LESS FREQUENTLY;**

29 **(VI) THE PROVIDER'S PLAN FOR TRAINING STAFF ON THE**
30 **PROVIDER'S POLICIES AND PROCEDURES; AND**

1 **(VII) THE PROVIDER’S PROCEDURE FOR PROVIDING NOTICE OF**
2 **LANGUAGE ASSISTANCE SERVICES AT NO COST TO INDIVIDUALS WITH LIMITED**
3 **ENGLISH PROFICIENCY.**

4 **(G) FOR EACH OF FISCAL YEARS 2025 AND 2026, THE GOVERNOR SHALL**
5 **INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$120,000 TO THE**
6 **PROGRAM.**

7 **(H) THE ADMINISTRATION SHALL AWARD, AT A MINIMUM, THREE GRANTS**
8 **OF \$30,000 EACH IN EACH OF FISCAL YEARS 2025 AND 2026.**

9 **(I) ON OR BEFORE DECEMBER 1, 2025, 2026, AND 2027, THE**
10 **ADMINISTRATION SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §**
11 **2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT**
12 **ON THE IMPLEMENTATION OF THE PROGRAM THAT INCLUDES:**

13 **(1) THE TOTAL NUMBER OF INDIVIDUALS WITH LIMITED ENGLISH**
14 **PROFICIENCY WHO RECEIVED LANGUAGE ASSISTANCE SERVICES BROKEN DOWN BY**
15 **JURISDICTION;**

16 **(2) THE TOTAL NUMBER OF CHILDREN WHO RECEIVED LANGUAGE**
17 **ASSISTANCE SERVICES BROKEN DOWN BY PRIMARY LANGUAGE SPOKEN;**

18 **(3) THE TOTAL NUMBER OF PARENTS AND LEGAL GUARDIANS WHO**
19 **RECEIVED LANGUAGE ASSISTANCE SERVICES BROKEN DOWN BY PRIMARY**
20 **LANGUAGE SPOKEN;**

21 **(4) THE TOTAL NUMBER OF LANGUAGE ASSISTANCE SERVICES THAT**
22 **WERE REIMBURSED BROKEN DOWN BY THE TYPE OF BEHAVIORAL HEALTH SERVICE**
23 **PROVIDED; AND**

24 **(5) THE TOTAL AMOUNT IN GRANT MONEY PROVIDED TO EACH**
25 **GRANTEE DURING THE IMMEDIATELY PRECEDING FISCAL YEAR.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2024. It shall remain effective for a period of 4 years and, at the end of June 30, 2028,
28 this Act, with no further action required by the General Assembly, shall be abrogated and
29 of no further force and effect.