

HB1015/563220/1

BY: Health Committee

AMENDMENTS TO HOUSE BILL 1015
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Kaufman**” and substitute “**Kaufman, Alston, Bagnall, Cullison, Guzzone, Hill, Hutchinson, Kipke, Lopez, Martinez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, White Holland, and Woorman**”; in line 2, strike “**Administration –**”; in the same line, after “**Services –**” insert “**Expedited**”; in the same line, after “**Eligibility**” insert “**Determinations**”; in line 5, strike “that” and substitute “**the Maryland Department of Health to provide an expedited eligibility determination for developmental disabilities services to**”; strike beginning with “were” in line 5 down through “services” in line 7 and substitute “**received certain services in another state and relocated**”; strike beginning with “requiring” in line 7 down through “State;” in line 8; and in line 10, after “eligibility” insert “**determinations**”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 21 and 22 and substitute:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DEPENDENT” MEANS AN INDIVIDUAL WITH DISABILITIES WHO:

(I) RELIES ON SUPPORT FROM AN IMMEDIATE FAMILY MEMBER WHO IS A RESIDENT OF THE STATE; OR

(II) HAS AN IMMEDIATE FAMILY MEMBER WHO IS A RESIDENT OF THE STATE AND ACTS AS THE INDIVIDUAL'S LEGAL GUARDIAN.

(3) "IMMEDIATE FAMILY MEMBER" MEANS A SPOUSE, A PARENT, AN ADOPTIVE PARENT, A STEP-PARENT, A GRANDPARENT, A STEP-GRANDPARENT, A SIBLING, A STEP-SIBLING, A CHILD, OR A STEP-CHILD.

(B) THE DEPARTMENT SHALL PROVIDE AN EXPEDITED ELIGIBILITY DETERMINATION FOR DEVELOPMENTAL DISABILITIES SERVICES, INCLUDING A DISABILITY DETERMINATION FOR PURPOSES OF ENROLLMENT IN THE COMMUNITY PATHWAYS WAIVER, TO AN INDIVIDUAL IF:".

On page 2, in line 1, strike "OF AN IMMEDIATE FAMILY MEMBER"; in line 8, after "MEMBER" insert "ON WHOM THE INDIVIDUAL IS DEPENDENT"; strike in their entirety lines 10 through 14, inclusive, and substitute:

"(C) (1) IN PROVIDING EXPEDITED ELIGIBILITY DETERMINATIONS UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL:

(I) PRIORITIZE COMPLETED APPLICATIONS FOR REVIEW ON RECEIPT;

(II) TO THE EXTENT AUTHORIZED BY LAW, RELY ON DOCUMENTATION, DIAGNOSTIC EVALUATIONS, ELIGIBILITY DETERMINATIONS FROM THE INDIVIDUAL'S PREVIOUS STATE OF RESIDENCE, AND ANY OTHER DOCUMENTATION THAT THE DEPARTMENT RELIES ON WHEN MAKING OTHER DETERMINATIONS UNDER THIS TITLE; AND

(III) COMPLETE EACH EXPEDITED ELIGIBILITY DETERMINATION WITHIN 60 DAYS AFTER THE RECEIPT OF A COMPLETE APPLICATION.

(2) IN PROVIDING AN EXPEDITED ELIGIBILITY DETERMINATION UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT MAY NOT WAIVE SUBSTANTIVE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THIS TITLE OR REQUIREMENTS ESTABLISHED BY REGULATION FOR THE ASSIGNMENT OF A SERVICE PRIORITY CATEGORY.”;

in line 15, strike “(C)” and substitute “(D)”;

“(E) IF THE DEPARTMENT DETERMINES THAT AN INDIVIDUAL WHO HAS NOT YET ESTABLISHED RESIDENCY IN THE STATE WOULD QUALIFY FOR THE EXPEDITED ELIGIBILITY DETERMINATION PROCESS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT MAY DETERMINE WHETHER THE INDIVIDUAL HAS A DEVELOPMENTAL DISABILITY AND THE APPROPRIATE SERVICE PRIORITY CATEGORY.”;

strike in their entirety lines 21 through 26, inclusive; and in line 28, strike “October 1, 2026” and substitute “July 1, 2027”.