

# HOUSE BILL 1015

J1

(6lr2113)

## ENROLLED BILL

— Health/Finance —

Introduced by Delegates Solomon, Shetty, ~~and Kaufman~~ Kaufman, Alston, Bagnall, Cullison, Guzzone, Hill, Hutchinson, Kipke, Lopez, Martinez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, White Holland, and Woorman

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Developmental Disabilities ~~Administration~~ Services – Expedited Eligibility**  
3 **Determinations for Recently Relocated Individuals**  
4 **(Ralph’s Act)**

5 FOR the purpose of requiring ~~that~~ the Maryland Department of Health to provide an  
6 expedited *Medicaid* eligibility determination for developmental disabilities services  
7 to certain individuals who ~~were determined to be eligible to receive certain~~  
8 developmental disabilities services in another state ~~be eligible to continue to receive~~  
9 those services received certain services in another state and relocated in the State;  
10 ~~requiring the Department to establish an expedited review process for certain~~  
11 individuals relocating to the State; ~~authorizing~~ *requiring* the Department to begin  
12 the determination process before an individual establishes residency in the State

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#### 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.

*Italics* indicate opposite chamber/conference committee amendments.



1 *under certain circumstances*; and generally relating to eligibility determinations for  
2 developmental disabilities services in the State.

3 BY repealing and reenacting, without amendments,

4 Article – Health – General

5 Section 7–101(a) and (g)

6 Annotated Code of Maryland

7 (2023 Replacement Volume and 2025 Supplement)

8 BY adding to

9 Article – Health – General

10 Section 7–404.2

11 Annotated Code of Maryland

12 (2023 Replacement Volume and 2025 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 7–101.

17 (a) In this title the following words have the meanings indicated.

18 (g) “Developmental disability” means a severe chronic disability of an individual  
19 that:

20 (1) Is attributable to a physical or mental impairment, other than the sole  
21 diagnosis of mental illness, or to a combination of mental and physical impairments;

22 (2) Is manifested before the individual attains the age of 22;

23 (3) Is likely to continue indefinitely;

24 (4) Results in an inability to live independently without external support or  
25 continuing and regular assistance; and

26 (5) Reflects the need for a combination and sequence of special,  
27 interdisciplinary, or generic care, treatment, or other services that are individually planned  
28 and coordinated for the individual.

29 **7–404.2.**

30 ~~(A) AN INDIVIDUAL SHALL BE ELIGIBLE TO RECEIVE SERVICES FROM THE~~  
31 ~~DEPARTMENT UNDER THIS TITLE IF:~~

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

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

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

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

8                   (3) “IMMEDIATE FAMILY MEMBER” MEANS A SPOUSE, A PARENT, AN  
9 ADOPTIVE PARENT, A STEPPARENT, A GRANDPARENT, A STEPGRANDPARENT, A  
10 SIBLING, A STEPSIBLING, A CHILD, OR A STEPCHILD.

11           (B) THE DEPARTMENT SHALL PROVIDE AN EXPEDITED *MEDICAID*  
12 ELIGIBILITY DETERMINATION FOR DEVELOPMENTAL DISABILITIES SERVICES,  
13 ~~INCLUDING A DISABILITY DETERMINATION~~ FOR PURPOSES OF ENROLLMENT IN THE  
14 COMMUNITY PATHWAYS WAIVER, TO AN INDIVIDUAL IF:

15                   (1) THE INDIVIDUAL:

16                           (I) IS A DEPENDENT ~~OF AN IMMEDIATE FAMILY MEMBER;~~

17                           (II) RECEIVED HOME- AND COMMUNITY-BASED WAIVER  
18 SERVICES OR SIMILAR SERVICES UNDER A SIMILAR ASSISTANCE PROGRAM IN  
19 ANOTHER STATE FOR THE IMMEDIATELY PRECEDING 10 YEARS; AND

20                           (III) MOVED TO THE STATE TO LIVE WITH THE IMMEDIATE  
21 FAMILY MEMBER ON THE DEATH OR INCAPACITATION OF THE INDIVIDUAL’S  
22 CARETAKER IN THE OTHER STATE; AND

23                   (2) THE IMMEDIATE FAMILY MEMBER ON WHOM THE INDIVIDUAL IS  
24 DEPENDENT HAS RESIDED IN THE STATE FOR THE IMMEDIATELY PRECEDING 2  
25 YEARS.

26           ~~(B) (1) THE DEPARTMENT SHALL ESTABLISH AN EXPEDITED PROCESS TO~~  
27 ~~DETERMINE WHETHER AN INDIVIDUAL MEETS THE CRITERIA UNDER SUBSECTION~~  
28 ~~(A) OF THIS SECTION AND IS ELIGIBLE TO RECEIVE SERVICES UNDER THIS TITLE.~~

29           ~~(2) THE PROCESS ESTABLISHED UNDER THIS SUBSECTION SHALL~~  
30 ~~REQUIRE THAT A DETERMINATION BE COMPLETED WITHIN 30 DAYS.~~

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

3                   **(I) PRIORITIZE COMPLETED APPLICATIONS FOR REVIEW ON**  
 4 **RECEIPT;**

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

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

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

17           ~~**(D)**~~ **(D) IF AN INDIVIDUAL HAS BEEN DETERMINED UNDER THIS SECTION**  
 18 **TO BE ELIGIBLE TO RECEIVE SERVICES, THE INDIVIDUAL SHALL BE:**

19                   **(1) PLACED IN THE CRISIS RESOLUTION CATEGORY; AND**

20                   **(2) GIVEN ACCESS TO WAIVER SERVICES THROUGH THE MOST**  
 21 **APPROPRIATE RESERVE CATEGORY AS DETERMINED BASED ON THE SERVICES THE**  
 22 **INDIVIDUAL RECEIVED IN THE INDIVIDUAL'S PREVIOUS STATE OF RESIDENCE.**

23           **(E) IF THE DEPARTMENT DETERMINES THAT AN INDIVIDUAL WHO HAS NOT**  
 24 **YET ESTABLISHED RESIDENCY IN THE STATE WOULD QUALIFY FOR THE EXPEDITED**  
 25 **ELIGIBILITY DETERMINATION PROCESS PROVIDED MEETS THE CRITERIA**  
 26 **ESTABLISHED UNDER SUBSECTION ~~(B)~~ (B)(1)(I) AND (II) AND (2) OF THIS SECTION,**  
 27 **THE DEPARTMENT ~~MAY SHALL~~ DETERMINE WHETHER THE INDIVIDUAL HAS A**  
 28 **DEVELOPMENTAL DISABILITY AND THE APPROPRIATE SERVICE PRIORITY**  
 29 **CATEGORY AS DEFINED UNDER § 7-101(G) OF THIS TITLE.**

30           ~~**(D) THE DEPARTMENT MAY DETERMINE, BEFORE AN INDIVIDUAL**~~  
 31 **ESTABLISHES RESIDENCY IN THE STATE:**

32                   ~~**(1) WHETHER AN INDIVIDUAL IS ELIGIBLE TO RECEIVE SERVICES;**~~

1           ~~(2) THE APPROPRIATE SERVICE PRIORITY CATEGORY; AND~~

2           ~~(3) WHETHER THE INDIVIDUAL IS ELIGIBLE FOR CRISIS RESOLUTION~~  
3 ~~SERVICES.~~

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 ~~October 1, 2026~~ July 1, 2027.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.