

HOUSE BILL 1117

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6lr2439

By: **Delegates Lopez, Embry, Kaufman, and Wims**

Introduced and read first time: February 11, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Elopement Response Devices – Insurance and Maryland Medical Assistance**
3 **Program Coverage and Provision Under State Programs**

4 FOR the purpose of requiring that certain State programs consider approved elopement
5 response devices as a medical device, durable medical equipment, or assistive
6 technology for purposes of the State programs; requiring the Maryland Medical
7 Assistance Program, subject to certain limitations, to provide coverage for approved
8 elopement response devices and supports; establishing requirements and
9 prohibitions regarding the Program coverage for approved elopement response
10 devices; requiring certain insurers, nonprofit health service plans, and health
11 maintenance organizations to provide coverage for approved elopement response
12 devices and associated supports to certain individuals under certain circumstances;
13 and generally relating to elopement response devices.

14 BY adding to

15 Article – Health – General
16 Section 13–32B–01 and 13–32B–02 to be under the new subtitle “Subtitle 32B.
17 Elopement Response Devices”; and 15–103(a)(2)(xxix) and 15–160
18 Annotated Code of Maryland
19 (2023 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – Health – General
22 Section 15–103(a)(1)
23 Annotated Code of Maryland
24 (2023 Replacement Volume and 2025 Supplement)

25 BY repealing and reenacting, with amendments,

26 Article – Health – General
27 Section 15–103(a)(2)(xxvii) and (xxviii)
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2023 Replacement Volume and 2025 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Insurance
4 Section 15–801
5 Annotated Code of Maryland
6 (2017 Replacement Volume and 2025 Supplement)

7 BY adding to
8 Article – Insurance
9 Section 15–801.1
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2025 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 **SUBTITLE 32B. ELOPEMENT RESPONSE DEVICES.**

16 **13–32B–01.**

17 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (B) “APPROVED ELOPEMENT RESPONSE DEVICE” HAS THE MEANING
20 STATED IN § 15–160 OF THIS ARTICLE.

21 (C) “ELOPEMENT” HAS THE MEANING STATED IN § 15–160 OF THIS
22 ARTICLE.

23 **13–32B–02.**

24 (A) THIS SECTION DOES NOT APPLY TO THE MARYLAND MEDICAL
25 ASSISTANCE PROGRAM.

26 (B) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, IF A STATE PROGRAM
27 PROVIDES FUNDING OR REIMBURSEMENT FOR OR THE DIRECT PROVISION OF
28 MEDICAL EQUIPMENT OR MEDICAL–RELATED SUPPLIES TO OLDER ADULTS OR
29 INDIVIDUALS WITH DISABILITIES, THE STATE PROGRAM SHALL CONSIDER AN
30 APPROVED ELOPEMENT RESPONSE DEVICE TO BE A MEDICAL DEVICE, DURABLE
31 MEDICAL EQUIPMENT, OR ASSISTIVE TECHNOLOGY FOR PURPOSES OF THE STATE
32 PROGRAM.

1 **(2) PARAGRAPH (1) OF THIS SUBSECTION APPLIES WITHOUT REGARD**
2 **TO WHEN THE STATE PROGRAM WAS ESTABLISHED.**

3 15–103.

4 (a) (1) The Secretary shall administer the Maryland Medical Assistance
5 Program.

6 (2) The Program:

7 (xxvii) Beginning on January 1, 2026, if providing coverage for the
8 delivery of anesthesia, shall provide coverage for the delivery of anesthesia in accordance
9 with § 15–862 of the Insurance Article; [and]

10 (xxviii) Beginning on January 1, 2026, shall provide calcium score
11 testing in accordance with § 15–863 of the Insurance Article; AND

12 **(XXIX) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF**
13 **THE STATE BUDGET AND FEDERAL FINANCIAL PARTICIPATION, COVERAGE OF**
14 **ELOPEMENT RESPONSE DEVICES AND SUPPORTS IN ACCORDANCE WITH § 15–160 OF**
15 **THIS SUBTITLE.**

16 15–160.

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 **(2) (I) “APPROVED ELOPEMENT RESPONSE DEVICE” MEANS A**
20 **MEDICAL DEVICE OR ASSISTIVE TECHNOLOGY APPROVED BY THE DEPARTMENT FOR**
21 **THE PREVENTION OF OR RESPONSE TO ELOPEMENT.**

22 **(II) “APPROVED ELOPEMENT RESPONSE DEVICE” INCLUDES**
23 **DOOR OR WINDOW SENSORS, WEARABLE OR PORTABLE LOCATION-ENABLED**
24 **DEVICES, AND RELATED ALERTING TECHNOLOGY.**

25 **(3) “ELIGIBLE RECIPIENT” MEANS A PROGRAM RECIPIENT WHO:**

26 **(I) IS UNDER THE AGE OF 21 YEARS AND ELIGIBLE FOR EARLY**
27 **AND PERIODIC SCREENING, DIAGNOSTIC, AND TREATMENT SERVICES, AS DEFINED**
28 **IN § 15–149 OF THIS SUBTITLE;**

29 **(II) IS ELIGIBLE FOR COVERAGE THROUGH A HOME- AND**
30 **COMMUNITY-BASED SERVICES WAIVER; OR**

1 (III) HAS BEEN DIAGNOSED WITH ALZHEIMER'S DISEASE OR A
2 RELATED DEMENTIA AND MEETS MEDICAL NECESSITY CRITERIA ESTABLISHED BY
3 THE DEPARTMENT.

4 (4) (I) "ELOPEMENT" MEANS BEHAVIOR IN WHICH AN INDIVIDUAL
5 WITH A COGNITIVE, DEVELOPMENTAL, OR NEUROLOGICAL CONDITION LEAVES OR
6 ATTEMPTS TO LEAVE A SAFE AND SUPERVISED AREA WITHOUT:

7 1. THE ABILITY TO RECOGNIZE OR AVOID RISK; OR

8 2. THE ABILITY TO RETURN SAFELY WITHOUT
9 ASSISTANCE.

10 (II) "ELOPEMENT" INCLUDES WANDERING THAT CREATES A
11 RISK OF HARM, INJURY, OR DEATH.

12 (5) "QUALIFIED LICENSED PROVIDER" MEANS A PHYSICIAN, A NURSE
13 PRACTITIONER, A PHYSICIAN'S ASSISTANT, OR ANY OTHER LICENSED HEALTH CARE
14 PRACTITIONER ACTING WITHIN THE SCOPE OF THE HEALTH CARE PRACTITIONER'S
15 LICENSE.

16 (6) "QUALIFYING PLAN" MEANS AN INDIVIDUALIZED EDUCATION
17 PROGRAM, A BEHAVIORAL HEALTH PLAN, AN INDIVIDUALIZED FAMILY SERVICE
18 PLAN, OR ANY OTHER CLINICAL OR EDUCATIONAL PLAN THAT DOCUMENTS A
19 HISTORY OR RISK OF ELOPEMENT.

20 (B) (1) SUBJECT TO FEDERAL APPROVAL, THE PROGRAM SHALL COVER
21 AN APPROVED ELOPEMENT RESPONSE DEVICE AND ASSOCIATED SUPPORTS FOR AN
22 ELIGIBLE RECIPIENT WHEN ORDERED OR PRESCRIBED BY A QUALIFIED LICENSED
23 PROVIDER AND DOCUMENTED IN A QUALIFYING PLAN.

24 (2) COVERAGE MAY BE PROVIDED UNDER THE STATE PLAN,
25 INCLUDING:

26 (I) AS DURABLE MEDICAL EQUIPMENT OR A COMPARABLE
27 BENEFIT CATEGORY;

28 (II) AS AN EPSDT SERVICE WHEN MEDICALLY NECESSARY FOR
29 ELIGIBLE RECIPIENTS UNDER THE AGE OF 21 YEARS; OR

30 (III) AS ASSISTIVE TECHNOLOGY OR SPECIALIZED MEDICAL
31 EQUIPMENT FOR PURPOSES OF A HOME- AND COMMUNITY-BASED SERVICES
32 WAIVER.

1 **(3) THE DEPARTMENT SHALL ESTABLISH:**

2 **(I) REASONABLE PRIOR AUTHORIZATION TO ENSURE**
3 **COST-EFFECTIVENESS OF APPROVED ELOPEMENT RESPONSE DEVICES PROVIDED**
4 **UNDER THE PROGRAM; AND**

5 **(II) REPLACEMENT AND MAINTENANCE REQUIREMENTS FOR**
6 **APPROVED ELOPEMENT RESPONSE DEVICES PROVIDED UNDER THE PROGRAM TO**
7 **ENSURE SAFETY OF ELIGIBLE RECIPIENTS.**

8 **(C) (1) THE DEPARTMENT SHALL REQUIRE INFORMED CONSENT FOR**
9 **ANY LOCATION-ENABLED DEVICE FROM THE ELIGIBLE RECIPIENT OR, IF THE**
10 **ELIGIBLE RECIPIENT LACKS THE CAPACITY TO CONSENT, THE ENROLLEE'S PARENT**
11 **OR GUARDIAN.**

12 **(2) THE DEPARTMENT SHALL ADOPT PRIVACY SAFEGUARDS AND**
13 **DATA MINIMIZATION STANDARDS FOR APPROVED ELOPEMENT RESPONSE DEVICES,**
14 **INCLUDING LIMITS ON DATA ELEMENTS, RETENTION, AND ACCESS CONSISTENT**
15 **WITH FEDERAL AND STATE LAW.**

16 **(3) THE USE OF AN APPROVED ELOPEMENT RESPONSE DEVICE OR**
17 **FAILURE TO USE AN APPROVED ELOPEMENT RESPONSE DEVICE UNDER THIS**
18 **SECTION MAY NOT BE A CONDITION OF ELIGIBILITY FOR SERVICES OR BENEFITS**
19 **UNDER THE PROGRAM.**

20 **(D) AN APPROVED ELOPEMENT RESPONSE DEVICE MAY NOT BE**
21 **DETERMINED TO BE INELIGIBLE FOR COVERAGE OR FUNDING UNDER THIS SECTION**
22 **OR ANY OTHER STATE PROGRAM SOLELY ON THE BASIS THAT THE APPROVED**
23 **DEVICE INCORPORATES GLOBAL POSITIONING SYSTEM TECHNOLOGY, WIRELESS**
24 **COMMUNICATIONS, OR CONSUMER-AVAILABLE COMPONENTS.**

25 **(E) THE DEPARTMENT, IN CONSULTATION WITH THE STATE DEPARTMENT**
26 **OF EDUCATION, SHALL ISSUE GUIDANCE TO ENABLE SCHOOL-BASED BILLING OR**
27 **COST ALLOCATION WHEN FEDERALLY ALLOWABLE, INCLUDING FOR USE OF**
28 **APPROVED ELOPEMENT RESPONSE DEVICES IN SCHOOL SETTINGS CONSISTENT**
29 **WITH A QUALIFYING PLAN.**

30 **(F) (1) ON OR BEFORE OCTOBER 1, 2026, THE DEPARTMENT SHALL**
31 **SUBMIT ANY NECESSARY STATE PLAN AMENDMENTS AND, IF APPLICABLE, WAIVER**
32 **AMENDMENTS TO CARRY OUT THIS SECTION.**

1 (d) An entity subject to this section may establish reasonable limits on the
2 benefits offered under this section, including copayment and deductible provisions and
3 maximum annual and lifetime dollar limits.

4 **15-801.1.**

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

7 (2) "APPROVED ELOPEMENT RESPONSE DEVICE" HAS THE MEANING
8 STATED IN § 15-160 OF THE HEALTH - GENERAL ARTICLE.

9 (3) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO HAS BEEN
10 DIAGNOSED WITH ALZHEIMER'S DISEASE OR A RELATED DEMENTIA AND MEETS
11 MEDICAL NECESSITY CRITERIA ESTABLISHED BY THE MARYLAND DEPARTMENT OF
12 HEALTH.

13 (4) "ELOPEMENT" HAS THE MEANING STATED IN § 15-160 OF THE
14 HEALTH - GENERAL ARTICLE.

15 (5) "QUALIFIED LICENSED PROVIDER" HAS THE MEANING STATED IN
16 § 15-160 OF THE HEALTH - GENERAL ARTICLE.

17 (6) "QUALIFYING PLAN" HAS THE MEANING STATED IN § 15-160 OF
18 THE HEALTH - GENERAL ARTICLE.

19 (B) THIS SECTION APPLIES TO:

20 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
21 PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS
22 ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR
23 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

24 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
25 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
26 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

27 (C) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
28 AN APPROVED ELOPEMENT RESPONSE DEVICE AND ASSOCIATED SUPPORTS FOR AN
29 ELIGIBLE INDIVIDUAL WHEN ORDERED OR PRESCRIBED BY A QUALIFIED LICENSED
30 PROVIDER AND DOCUMENTED IN A QUALIFYING PLAN.

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
2 apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the
3 State on or after January 1, 2027.

4 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
5 effect January 1, 2027.

6 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section
7 4 of this Act, this Act shall take effect July 1, 2026.