

HOUSE BILL 1331

J1, O1, P1

6lr3625

By: **Delegates Grammer, Arikan, Chisholm, Fisher, M. Morgan, Nawrocki, and Szeliga**

Introduced and read first time: February 12, 2026

Assigned to: Appropriations and Health

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Health and Department of Human Services – Public**
3 **Benefits – Eligibility and Prohibitions**

4 FOR the purpose of requiring the Maryland Department of Health and the Department of
5 Human Services to enter into certain data–sharing agreements with certain agencies
6 to conduct certain reviews related to eligibility for and use of certain public benefits;
7 establishing requirements related to redeterminations of eligibility, a waiver for a
8 certain lockout period, retroactive eligibility, and work requirements under the
9 Maryland Medical Assistance Program; prohibiting the Maryland Department of
10 Health from accepting certain information in the form of a self–attestation;
11 prohibiting the Maryland Department of Health from providing services under the
12 Maryland Medical Assistance Program to an individual who is not a qualified citizen;
13 requiring the Department of Human Services, in consultation with law enforcement
14 agencies, to conduct annual inspections of certain retail facilities; prohibiting the
15 Department of Human Services from allowing certain individuals to access certain
16 public assistance on the basis of immigration status; and generally relating to
17 eligibility for public assistance programs.

18 BY repealing and reenacting, without amendments,
19 Article – Health – General
20 Section 15–101(a), (h), and (i)
21 Annotated Code of Maryland
22 (2023 Replacement Volume and 2025 Supplement)

23 BY adding to
24 Article – Health – General
25 Section 15–123.1, 15–123.2, 15–123.3, and 15–123.4
26 Annotated Code of Maryland
27 (2023 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, without amendments,
2 Article – Human Services
3 Section 5–101(a), (c), and (g) and 5–503
4 Annotated Code of Maryland
5 (2019 Replacement Volume and 2025 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – Human Services
8 Section 5–501
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2025 Supplement)

11 BY adding to
12 Article – Human Services
13 Section 5–503.1
14 Annotated Code of Maryland
15 (2019 Replacement Volume and 2025 Supplement)

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

18 **Article – Health – General**

19 15–101.

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

21 (h) “Program” means the Maryland Medical Assistance Program.

22 (i) “Program recipient” means an individual who receives benefits under the
23 Program.

24 **15–123.1.**

25 **(A) THE DEPARTMENT SHALL ESTABLISH MEMORANDUMS OF**
26 **UNDERSTANDING WITH FEDERAL AND STATE AGENCIES TO FACILITATE**
27 **DATA–SHARING IN ORDER TO CONDUCT:**

28 **(1) MONTHLY DEATH RECORD REVIEWS, USING THE VITAL**
29 **STATISTICS ADMINISTRATION DATABASE TO IDENTIFY DECEASED INDIVIDUALS**
30 **WHO ARE PROGRAM RECIPIENTS;**

31 **(2) QUARTERLY REVIEWS, IN CONSULTATION WITH THE MARYLAND**
32 **DEPARTMENT OF LABOR, TO DETERMINE THE EFFECT OF EMPLOYMENT OR WAGE**
33 **CHANGES ON THE CONTINUING ELIGIBILITY OF PROGRAM RECIPIENTS;**

1 **(3) QUARTERLY REVIEWS OF TAX FILINGS FROM THE COMPTROLLER**
2 **TO VERIFY EMPLOYMENT, INCOME, AND RESIDENCY CHANGES OF PROGRAM**
3 **RECIPIENTS;**

4 **(4) ANNUAL REVIEWS OF INFORMATION FROM THE INTERNAL**
5 **REVENUE SERVICE THAT MAY AFFECT THE ELIGIBILITY OF PROGRAM RECIPIENTS,**
6 **INCLUDING:**

7 **(I) TAX FILINGS;**

8 **(II) ADJUSTED GROSS INCOME DATA; AND**

9 **(III) FAMILY COMPOSITION DATA;**

10 **(5) NOTWITHSTANDING § 15-113 OF THIS SUBTITLE, MONTHLY**
11 **REVIEWS OF INCARCERATED INDIVIDUALS, IN CONSULTATION WITH THE**
12 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, TO ENSURE**
13 **THAT INCARCERATED INDIVIDUALS ARE NOT RECEIVING BENEFITS UNDER THE**
14 **PROGRAM;**

15 **(6) MONTHLY REVIEWS OF INFORMATION FROM THE FEDERAL**
16 **SOCIAL SECURITY ADMINISTRATION THAT MAY AFFECT THE ELIGIBILITY OF**
17 **PROGRAM RECIPIENTS, INCLUDING:**

18 **(I) INCOME INFORMATION;**

19 **(II) DEATH REGISTER INFORMATION;**

20 **(III) INCARCERATION RECORDS;**

21 **(IV) SUPPLEMENTAL SECURITY INCOME INFORMATION;**

22 **(V) BENEFICIARY RECORDS; AND**

23 **(VI) PENSION INFORMATION;**

24 **(7) TWICE MONTHLY REVIEWS OF UNEMPLOYMENT INSURANCE**
25 **BENEFITS RECORDS, IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF**
26 **LABOR, TO VERIFY CHANGES IN EMPLOYMENT OR INCOME THAT MIGHT AFFECT THE**
27 **CONTINUING ELIGIBILITY OF PROGRAM RECIPIENTS USING:**

28 **(I) SOCIAL SECURITY ADMINISTRATION EARNINGS AND DEATH**
29 **RECORDS;**

1 (II) U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
2 NATIONAL DIRECTORY OF NEW HIRES;

3 (III) U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
4 CHILD SUPPORT ENFORCEMENT RECORDS;

5 (IV) U.S. DEPARTMENT OF HOUSING AND URBAN
6 DEVELOPMENT PAYMENT AND EARNINGS DATA; AND

7 (V) FEDERAL BUREAU OF INVESTIGATION NATIONAL INSTANT
8 CRIMINAL BACKGROUND CHECK SYSTEM RECORDS OF FUGITIVES FROM JUSTICE;

9 (8) MONTHLY REVIEWS OF ADDRESS INFORMATION TO DETERMINE
10 PROGRAM RECIPIENT RESIDENCY THAT MAY AFFECT CONTINUING ELIGIBILITY OF
11 PROGRAM RECIPIENTS USING:

12 (I) RETURNED MAIL;

13 (II) U.S. POSTAL SERVICE CHANGE OF ADDRESS DATA; AND

14 (III) MANAGED CARE ORGANIZATION ENROLLEE ADDRESS DATA;

15 (9) MONTHLY REVIEWS, IN CONSULTATION WITH THE DEPARTMENT
16 OF HUMAN SERVICES, OF OUT-OF-STATE ELECTRONIC BENEFITS TRANSFER CARD
17 TRANSACTIONS TO VERIFY THAT INDIVIDUALS RECEIVING PUBLIC ASSISTANCE
18 RESIDE IN THE STATE; AND

19 (10) QUARTERLY REVIEWS OF COMPLIANCE WITH THE WORK
20 REQUIREMENTS ESTABLISHED UNDER § 15-123.3 OF THIS SUBTITLE USING:

21 (I) WAGE AND INCOME DATA;

22 (II) EDUCATIONAL TRAINING PROGRAM ENROLLMENT DATA;

23 AND

24 (III) VOLUNTEER SERVICE DOCUMENTATION.

25 (B) UNLESS OTHERWISE PROHIBITED BY FEDERAL LAW, AT LEAST ONCE
26 EVERY 6 MONTHS, THE DEPARTMENT SHALL CONDUCT ELIGIBILITY
27 REDETERMINATIONS FOR ALL NONELDERLY ADULT PROGRAM RECIPIENTS WHOSE
28 ELIGIBILITY IS DETERMINED BASED ON THE APPLICATION OF MODIFIED ADJUSTED
29 GROSS INCOME STANDARDS.

1 **(C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO CONDUCT**
2 **PUBLIC AND PRIVATE DATABASE SEARCHES FOR INFORMATION THAT INDICATES A**
3 **CHANGE IN CIRCUMSTANCES THAT MAY AFFECT PROGRAM ELIGIBILITY.**

4 **(D) UNLESS REQUIRED BY FEDERAL LAW, WHEN DETERMINING PROGRAM**
5 **ELIGIBILITY, THE DEPARTMENT MAY NOT ACCEPT SELF-ATTESTATION OF**
6 **INFORMATION FOR PURPOSES OF DETERMINING:**

7 **(1) INCOME;**

8 **(2) IDENTITY;**

9 **(3) RESIDENCY;**

10 **(4) HOUSEHOLD COMPOSITION;**

11 **(5) CITIZENSHIP STATUS;**

12 **(6) IMMIGRATION STATUS;**

13 **(7) EDUCATION OR TRAINING PROGRAM ENROLLMENT;**

14 **(8) VOLUNTEER SERVICE; OR**

15 **(9) OTHER ELIGIBILITY FACTORS.**

16 **(E) THE DEPARTMENT SHALL SEEK APPROVAL FROM THE CENTERS FOR**
17 **MEDICARE AND MEDICAID SERVICES FOR A § 1115 WAIVER TO IMPOSE A 6-MONTH**
18 **LOCKOUT PERIOD FOR A PROGRAM RECIPIENT WHO:**

19 **(1) IS AT LEAST 19 YEARS OLD AND UNDER THE AGE OF 65 YEARS;**

20 **(2) FAILS TO REPORT A CHANGE IN ELIGIBILITY; AND**

21 **(3) IS NOT:**

22 **(I) DESIGNATED AS DISABLED BY A GOVERNMENTAL ENTITY;**

23 **OR**

24 **(II) PREGNANT.**

1 **(F) THE DEPARTMENT AND THE STATE LOTTERY AND GAMING CONTROL**
2 **AGENCY SHALL ENTER INTO AN AGREEMENT TO IDENTIFY THE NAMES OF EACH**
3 **PROGRAM RECIPIENT WHO HAS WON A PRIZE OF \$600 OR MORE.**

4 **(G) BEGINNING ON OR BEFORE OCTOBER 1, 2029, ON A MONTHLY BASIS,**
5 **THE DEPARTMENT SHALL SUBMIT PROGRAM RECIPIENT INFORMATION TO THE**
6 **CENTERS FOR MEDICARE AND MEDICAID SERVICES NATIONAL MEDICAID**
7 **ENROLLMENT DATABASE TO IDENTIFY INDIVIDUALS ENROLLED IN MEDICAID IN**
8 **MULTIPLE STATES AT THE SAME TIME.**

9 **(H) THE DEPARTMENT SHALL PUBLISH ON ITS WEBSITE QUARTERLY**
10 **REPORTS ON INVESTIGATIONS AND COMPLIANCE FINDINGS RELATING TO PROGRAM**
11 **FRAUD, INCLUDING:**

12 **(1) THE NUMBER OF CASES INVESTIGATED;**

13 **(2) THE NUMBER OF CASES REFERRED FOR PROSECUTION; AND**

14 **(3) THE PERCENTAGE OF INELIGIBLE PROGRAM RECIPIENTS**
15 **IDENTIFIED.**

16 **(I) (1) ON OR BEFORE AUGUST 31 EACH YEAR, THE DEPARTMENT SHALL**
17 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
18 **STATE GOVERNMENT ARTICLE, ON:**

19 **(i) THE NUMBER OF PROGRAM RECIPIENTS DISENROLLED**
20 **FROM THE PROGRAM FOLLOWING A REVIEW OF ADDRESS CHANGE INFORMATION OR**
21 **OUT-OF-STATE ELECTRONIC BENEFIT TRANSACTIONS;**

22 **(ii) THE NUMBER OF PROGRAM RECIPIENTS DISENROLLED**
23 **FROM THE PROGRAM DUE TO ENROLLMENT IN MULTIPLE STATES; AND**

24 **(iii) THE ESTIMATED FISCAL IMPACT TO THE STATE AS A**
25 **RESULT OF DISENROLLING THE PROGRAM RECIPIENTS DESCRIBED UNDER ITEMS**
26 **(I) AND (II) OF THIS PARAGRAPH FROM THE PROGRAM.**

27 **(2) THE REPORT SHALL BE MADE PUBLICLY AVAILABLE ON THE**
28 **DEPARTMENT'S WEBSITE.**

29 **(J) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
30 **SECTION.**

31 **15-123.2.**

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

3 (2) "EXPANSION POPULATION" MEANS INDIVIDUALS WHO ARE
4 ELIGIBLE TO PARTICIPATE IN THE PROGRAM UNDER § 1902(A)(10)(A)(I)(VIII) OF
5 THE FEDERAL SOCIAL SECURITY ACT, COMMONLY KNOWN AS THE MEDICAID
6 EXPANSION POPULATION UNDER THE AFFORDABLE CARE ACT.

7 (3) "NONEXPANSION POPULATION" MEANS ALL INDIVIDUALS
8 ELIGIBLE TO PARTICIPATE IN THE PROGRAM WHO DO NOT QUALIFY UNDER THE
9 EXPANSION POPULATION, INCLUDING PREGNANT WOMEN, CHILDREN, ELDERLY
10 INDIVIDUALS, AND INDIVIDUALS WITH DISABILITIES.

11 (4) "RETROACTIVE ELIGIBILITY" MEANS PROGRAM COVERAGE FOR
12 SERVICES PROVIDED BEFORE THE MONTH OF APPLICATION AS AUTHORIZED BY 42
13 U.S.C. § 1396(A)(34).

14 (B) (1) THE DEPARTMENT SHALL LIMIT RETROACTIVE ELIGIBILITY FOR
15 INITIAL PROGRAM APPLICANTS TO:

16 (I) FOR INDIVIDUALS DETERMINED TO BE ELIGIBLE AS PART
17 OF THE EXPANSION POPULATION, 1 MONTH BEFORE THE MONTH IN WHICH THE
18 INDIVIDUAL SUBMITS AN APPLICATION; AND

19 (II) FOR INDIVIDUALS ELIGIBLE AS PART OF THE
20 NONEXPANSION POPULATION, 2 MONTHS BEFORE THE MONTH IN WHICH THE
21 INDIVIDUAL SUBMITS AN APPLICATION.

22 (2) THE LIMITATIONS ESTABLISHED UNDER PARAGRAPH (1) OF THIS
23 SUBSECTION:

24 (I) APPLY ONLY TO INITIAL APPLICATIONS TO THE PROGRAM;
25 AND

26 (II) MAY NOT BE CONSTRUED TO AFFECT ELIGIBILITY FOR
27 CONTINUOUS OR ONGOING COVERAGE.

28 (C) THE DEPARTMENT SHALL:

29 (1) ESTABLISH PROCEDURES TO NOTIFY APPLICANTS AND
30 PROVIDERS OF CHANGES IN THE RETROACTIVE ELIGIBILITY POLICY; AND

1 **(2) ENSURE COMPLIANCE WITH ALL FEDERAL AND STATE**
2 **REQUIREMENTS REGARDING NOTICE AND DUE PROCESS.**

3 **(D) (1) ON OR BEFORE AUGUST 31 EACH YEAR, THE DEPARTMENT SHALL**
4 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
5 **STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION AND IMPACT OF THE**
6 **RETROACTIVE BENEFITS LIMITATIONS ESTABLISHED UNDER SUBSECTION (B) OF**
7 **THIS SECTION, INCLUDING:**

8 **(I) THE NUMBER OF PROGRAM APPLICATIONS PROCESSED**
9 **FOR THE EXPANSION POPULATION AND THE NONEXPANSION POPULATION;**

10 **(II) THE NUMBER OF PROGRAM RECIPIENTS DENIED**
11 **RETROACTIVE BENEFITS BEYOND THE LIMITATIONS ESTABLISHED UNDER**
12 **SUBSECTION (B) OF THIS SECTION; AND**

13 **(III) THE ESTIMATED FISCAL IMPACT OF THE LIMITATIONS ON**
14 **RETROACTIVE BENEFITS ON THE PROGRAM.**

15 **(2) THE REPORT SHALL BE MADE PUBLICLY AVAILABLE ON THE**
16 **DEPARTMENT'S WEBSITE.**

17 **(E) ANY TAXPAYER IN THE STATE MAY BRING AN ACTION TO ENFORCE THIS**
18 **SECTION.**

19 **(F) AN ACTION FOR A DECLARATORY JUDGMENT OR INJUNCTIVE RELIEF**
20 **MAY BE BROUGHT UNDER THIS SECTION AGAINST THE DEPARTMENT FOR**
21 **VIOLATING THIS SECTION.**

22 **(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
23 **SECTION.**

24 **15-123.3.**

25 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
26 **INDICATED.**

27 **(2) "APPLICABLE PROGRAM RECIPIENT" MEANS AN INDIVIDUAL WHO**
28 **IS SUBJECT TO WORK REQUIREMENTS UNDER FEDERAL LAW, REGULATION, OR**
29 **GUIDANCE.**

30 **(3) "WORK REQUIREMENTS" MEANS THE REQUIREMENTS**
31 **ESTABLISHED UNDER 42 U.S.C. § 1396A(xx).**

1 **(B) (1) ON OR BEFORE DECEMBER 31, 2026, THE DEPARTMENT SHALL**
2 **IMPLEMENT WORK REQUIREMENTS FOR ALL APPLICABLE PROGRAM RECIPIENTS.**

3 **(2) THE DEPARTMENT SHALL REQUIRE DOCUMENTARY EVIDENCE OF**
4 **COMPLIANCE WITH THIS SECTION.**

5 **(C) THE DEPARTMENT MAY NOT APPROVE AN EXEMPTION FROM THE**
6 **REQUIREMENTS OF THIS SECTION FOR AN INDIVIDUAL, BASED ON THE STATUS OF**
7 **THE INDIVIDUAL AS MEDICALLY FRAIL OR OTHERWISE BEING AN INDIVIDUAL WITH**
8 **SPECIAL MEDICAL NEEDS, UNLESS THE INDIVIDUAL HAS BEEN CERTIFIED AS**
9 **HAVING A DISABLING MENTAL DISORDER, A PHYSICAL, INTELLECTUAL, OR**
10 **DEVELOPMENTAL DISABILITY THAT SIGNIFICANTLY IMPAIRS THE INDIVIDUAL'S**
11 **ABILITY TO PERFORM ACTIVITIES OF DAILY LIVING, OR IS IN TREATMENT FOR A**
12 **CHRONIC SUBSTANCE USE DISORDER, BY:**

13 **(1) A PHYSICIAN;**

14 **(2) A PHYSICIAN'S ASSISTANT;**

15 **(3) A NURSE;**

16 **(4) A NURSE PRACTITIONER;**

17 **(5) A REPRESENTATIVE OF A PHYSICIAN'S OFFICE AUTHORIZED TO**
18 **PROVIDE THE CERTIFICATION;**

19 **(6) A PSYCHOLOGIST; OR**

20 **(7) A SOCIAL WORKER.**

21 **(D) THE DEPARTMENT MAY NOT:**

22 **(1) EXPAND THE DESCRIPTION OF AN INDIVIDUAL WHO IS MEDICALLY**
23 **FRAIL OR OTHERWISE AN INDIVIDUAL WITH SPECIAL MEDICAL NEEDS BEYOND THE**
24 **SCOPE ESTABLISHED UNDER 42 C.F.R. § 440.315(F);**

25 **(2) SEEK OR IMPLEMENT AN ADDITIONAL EXEMPTION TO WORK**
26 **REQUIREMENTS UNLESS SPECIFICALLY AUTHORIZED UNDER THIS TITLE; OR**

27 **(3) AUTHORIZE A MANAGED CARE ORGANIZATION TO DETERMINE**
28 **WHETHER A PROGRAM RECIPIENT IS EXEMPT FROM THE REQUIREMENTS OF THIS**
29 **SECTION.**

1 **(E) THE DEPARTMENT SHALL TERMINATE THE ELIGIBILITY OF A PROGRAM**
2 **RECIPIENT WHO IS SUBJECT TO THE WORK REQUIREMENTS OF THIS SECTION AND**
3 **FAILS TO COMPLY.**

4 **(F) BEGINNING MARCH 31, 2027, AND ON A QUARTERLY BASIS**
5 **THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN**
6 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
7 **ASSEMBLY ON:**

8 **(1) THE NUMBER AND TYPE OF WORK REQUIREMENT EXEMPTIONS**
9 **GRANTED TO PROGRAM RECIPIENTS; AND**

10 **(2) THE IMPACT OF THOSE EXEMPTIONS ON PROGRAM ENROLLMENT.**

11 **15-123.4.**

12 **(A) IN THIS SECTION, “QUALIFIED CITIZEN” MEANS AN INDIVIDUAL WHO IS**
13 **A RESIDENT OF THE UNITED STATES AND WHO IS:**

14 **(1) A CITIZEN OR IS OTHERWISE A NATIONAL OF THE UNITED STATES;**

15 **(2) AN ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE AS**
16 **AN IMMIGRANT;**

17 **(3) AN ALIEN WHO HAS BEEN GRANTED THE STATUS OF CUBAN OR**
18 **HAITIAN ENTRANT, AS DEFINED IN SECTION 501(E) OF THE REFUGEE EDUCATION**
19 **ASSISTANCE ACT OF 1980; OR**

20 **(4) AN INDIVIDUAL LAWFULLY RESIDING IN THE UNITED STATES IN**
21 **ACCORDANCE WITH A COMPACT OF FREE ASSOCIATION, AS APPLICABLE UNDER 8**
22 **U.S.C. § 1612(B)(2)(G).**

23 **(B) (1) THE DEPARTMENT MAY NOT PROVIDE COVERAGE UNDER THE**
24 **PROGRAM TO AN INDIVIDUAL UNLESS THE INDIVIDUAL IS A QUALIFIED CITIZEN.**

25 **(2) THE DEPARTMENT SHALL REQUIRE THAT INCOME OF INELIGIBLE**
26 **HOUSEHOLD MEMBERS BE INCLUDED WHEN CALCULATING FINANCIAL ELIGIBILITY**
27 **FOR THE PROGRAM.**

28 **(C) THE DEPARTMENT SHALL INCLUDE AN IMMIGRATION STATUS FIELD ON**
29 **ALL APPLICATIONS FOR PROGRAM SERVICES.**

1 **(D) THE DEPARTMENT SHALL:**

2 **(1) VERIFY WHETHER AN INDIVIDUAL IS A QUALIFIED CITIZEN**
3 **BEFORE PROGRAM ENROLLMENT;**

4 **(2) CONDUCT REGULAR CROSS-CHECKS OF APPLICANT AND**
5 **PROGRAM RECIPIENT INFORMATION AGAINST FEDERAL DATABASES, INCLUDING**
6 **THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM; AND**

7 **(3) PROMPTLY REFER ALL APPLICANTS IDENTIFIED AS AN**
8 **INDIVIDUAL WHO DOES NOT HAVE LAWFUL IMMIGRATION STATUS TO THE U.S.**
9 **DEPARTMENT OF HOMELAND SECURITY OR OTHER APPROPRIATE FEDERAL**
10 **AUTHORITIES.**

11 **(E) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT COVERAGE FOR**
12 **EMERGENCY MEDICAL SERVICES PROVIDED TO ALL INDIVIDUALS AS REQUIRED**
13 **UNDER 42 U.S.C. § 1396B(V).**

14 **Article – Human Services**

15 5–101.

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

17 (c) “Department” means the Department of Human Services.

18 (g) “Secretary” means the Secretary of Human Services.

19 5–501.

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

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

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

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

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

1 (c) Each local department shall administer the Supplemental Nutrition
2 Assistance Program:

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

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

5 (d) If a household includes an individual who is at least 60 years old and receives
6 a federally funded benefit in an amount less than \$50 per month under the Supplemental
7 Nutrition Assistance Program, the State shall provide a supplement to increase the total
8 benefit to \$50 per month.

9 **(E) (1) THE DEPARTMENT SHALL ESTABLISH MEMORANDUMS OF**
10 **UNDERSTANDING WITH FEDERAL AND STATE AGENCIES TO FACILITATE**
11 **DATA-SHARING IN ORDER TO CONDUCT:**

12 **(I) MONTHLY DEATH RECORD REVIEWS USING THE VITAL**
13 **STATISTICS ADMINISTRATION DATABASE TO IDENTIFY DECEASED INDIVIDUALS**
14 **RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE**
15 **PROGRAM;**

16 **(II) QUARTERLY REVIEWS, IN CONSULTATION WITH THE**
17 **MARYLAND DEPARTMENT OF LABOR, TO DETERMINE THE EFFECT OF EMPLOYMENT**
18 **OR WAGE CHANGES OF HOUSEHOLDS RECEIVING BENEFITS UNDER THE**
19 **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;**

20 **(III) MONTHLY REVIEWS OF OUT-OF-STATE ELECTRONIC**
21 **BENEFITS TRANSFER CARD TRANSACTIONS TO VERIFY THAT INDIVIDUALS**
22 **RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE**
23 **PROGRAM RESIDE IN THE STATE;**

24 **(IV) QUARTERLY REVIEWS OF TAX FILINGS FROM THE**
25 **COMPTROLLER TO IDENTIFY INCOME CHANGES OF HOUSEHOLDS RECEIVING**
26 **BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;**

27 **(V) MONTHLY REVIEWS OF INCARCERATED INDIVIDUALS, IN**
28 **CONSULTATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL**
29 **SERVICES, TO:**

30 **1. ENSURE THAT INCARCERATED INDIVIDUALS ARE NOT**
31 **RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE**
32 **PROGRAM; AND**

1 **2. DETERMINE THE EFFECT OF AN INDIVIDUAL'S**
2 **INCARCERATION ON HOUSEHOLDS RECEIVING BENEFITS UNDER THE**
3 **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM;**

4 **(VI) TWICE MONTHLY REVIEWS OF UNEMPLOYMENT INSURANCE**
5 **BENEFITS, IN CONSULTATION WITH THE MARYLAND DEPARTMENT OF LABOR, TO**
6 **VERIFY CHANGES IN EMPLOYMENT OR INCOME ELIGIBILITY OF A HOUSEHOLD**
7 **RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE**
8 **PROGRAM USING THE FOLLOWING:**

9 **1. SOCIAL SECURITY ADMINISTRATION EARNINGS,**
10 **SUPPLEMENTAL SECURITY INCOME, BENEFICIARY, PENSION, AND DEATH**
11 **RECORDS;**

12 **2. U.S. DEPARTMENT OF HEALTH AND HUMAN**
13 **SERVICES NATIONAL DIRECTORY OF NEW HIRES;**

14 **3. U.S. DEPARTMENT OF HEALTH AND HUMAN**
15 **SERVICES CHILD SUPPORT ENFORCEMENT RECORDS;**

16 **4. U.S. DEPARTMENT OF HOUSING AND URBAN**
17 **DEVELOPMENT PAYMENT AND EARNINGS DATA; AND**

18 **5. FEDERAL BUREAU OF INVESTIGATION NATIONAL**
19 **INSTANT CRIMINAL BACKGROUND CHECK SYSTEM RECORDS OF FUGITIVES FROM**
20 **JUSTICE; AND**

21 **(VII) MONTHLY REVIEWS OF ADDRESS INFORMATION TO**
22 **DETERMINE CHANGES IN RESIDENCY THAT MAY AFFECT CONTINUING ELIGIBILITY**
23 **OF INDIVIDUALS RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION**
24 **ASSISTANCE PROGRAM USING:**

25 **1. RETURNED MAIL; AND**

26 **2. U.S. POSTAL SERVICE CHANGE OF ADDRESS DATA.**

27 **(2) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO**
28 **CONDUCT PUBLIC AND PRIVATE DATABASE SEARCHES FOR INFORMATION THAT**
29 **INDICATES A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT ELIGIBILITY FOR**
30 **BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.**

31 **(3) (I) WHEN DETERMINING ELIGIBILITY FOR BENEFITS UNDER**
32 **THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, THE DEPARTMENT MAY**

1 NOT APPLY CATEGORICAL ELIGIBILITY UNDER 7 U.S.C. § 2014(A) OR 7 C.F.R. §
2 273.2(J)(2)(III), UNLESS REQUIRED BY FEDERAL LAW.

3 (II) WHEN DETERMINING ELIGIBILITY FOR BENEFITS UNDER
4 THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, UNLESS REQUIRED BY
5 FEDERAL LAW, THE DEPARTMENT MAY NOT:

6 1. APPLY A HIGHER GROSS INCOME ELIGIBILITY
7 STANDARD THAN THE GROSS INCOME ELIGIBILITY UNDER 7 U.S.C. § 2014(C); OR

8 2. ALLOW FINANCIAL RESOURCES GREATER THAN
9 THOSE SPECIFIED IN 7 U.S.C. § 2014(G).

10 (4) A HOUSEHOLD ELIGIBLE TO RECEIVE BENEFITS UNDER THE
11 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM UNDER FEDERAL AND STATE
12 LAW SHALL REPORT A CHANGE IN CIRCUMSTANCES AFFECTING ELIGIBILITY WITHIN
13 10 DAYS AFTER THE CHANGE OCCURRED, IN ACCORDANCE WITH 7 C.F.R. §
14 273.12(A)(1).

15 (5) IF THE DEPARTMENT RECEIVES INFORMATION CONCERNING AN
16 INDIVIDUAL RECEIVING BENEFITS UNDER THE SUPPLEMENTAL NUTRITION
17 ASSISTANCE PROGRAM THAT INDICATES A CHANGE IN CIRCUMSTANCES THAT MAY
18 AFFECT ELIGIBILITY, THE DEPARTMENT SHALL REVIEW THE INDIVIDUAL'S OR
19 HOUSEHOLD'S ELIGIBILITY.

20 (6) THE DEPARTMENT SHALL ASSIGN REGULAR RECERTIFICATION
21 PERIODS OF NOT GREATER THAN 4 MONTHS, BUT NOT LESS THAN 3 MONTHS, TO
22 HOUSEHOLDS:

23 (I) WITH ZERO NET INCOME;

24 (II) THAT INCLUDE AN ABLE-BODIED ADULT WITHOUT
25 DEPENDENTS; AND

26 (III) WHOSE CIRCUMSTANCES ARE DETERMINED BY THE
27 DEPARTMENT TO BE UNSTABLE.

28 (7) THE DEPARTMENT, IN CONSULTATION WITH LAW ENFORCEMENT
29 AGENCIES, SHALL CONDUCT ANNUAL ON-SITE INSPECTIONS OF RETAIL FACILITIES
30 ACCEPTING ELECTRONIC BENEFITS TRANSFER CARD TRANSACTIONS TO IDENTIFY
31 POTENTIAL FRAUD.

1 **(8) (I) THE DEPARTMENT AND THE STATE LOTTERY AND GAMING**
2 **CONTROL AGENCY SHALL ENTER INTO AN AGREEMENT TO IDENTIFY THE NAMES OF**
3 **EACH RECIPIENT OF BENEFITS UNDER THE SUPPLEMENTAL NUTRITION**
4 **ASSISTANCE PROGRAM WHO HAS WON A PRIZE OF \$600 OR MORE.**

5 **(II) THE DEPARTMENT SHALL INVESTIGATE WHETHER A**
6 **HOUSEHOLD EXCEEDS RESOURCE ELIGIBILITY UNDER 7 C.F.R. § 273.8(B) OR 7**
7 **U.S.C. § 2014(G)(1).**

8 **(9) THE DEPARTMENT SHALL PUBLISH ON ITS WEBSITE QUARTERLY**
9 **REPORTS ON INVESTIGATIONS AND COMPLIANCE FINDINGS RELATING TO**
10 **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FRAUD, INCLUDING:**

11 **(I) THE NUMBER OF HOUSEHOLDS INVESTIGATED;**

12 **(II) THE NUMBER OF INDIVIDUALS REFERRED FOR**
13 **PROSECUTION;**

14 **(III) THE TOTAL NUMBER AND AMOUNT OF IMPROPER PAYMENTS**
15 **RECOVERED;**

16 **(IV) THE PERCENTAGE OF INELIGIBLE RECIPIENTS IDENTIFIED;**
17 **AND**

18 **(V) THE TOTAL EXPENDITURE OF FUNDS ON OUT-OF-STATE**
19 **ELECTRONIC BENEFITS TRANSFER CARD TRANSACTIONS.**

20 **(10) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT**
21 **THIS SECTION.**

22 5-503.

23 Subject to the State budget, the Department shall provide food supplement benefits
24 to a legal immigrant who:

25 (1) is a minor;

26 (2) is ineligible for federally funded Supplemental Nutrition Assistance
27 Program benefits because of immigration status;

28 (3) meets all other Supplemental Nutrition Assistance Program eligibility
29 requirements; and

30 (4) meets any other requirements of the State.

1 **5-503.1.**

2 (A) AN INDIVIDUAL MAY NOT RECEIVE BENEFITS UNDER THE
3 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM UNLESS THE INDIVIDUAL IS A
4 RESIDENT OF THE UNITED STATES AND IS:

5 (1) A CITIZEN OR NATIONAL OF THE UNITED STATES;

6 (2) AN ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE AS
7 AN IMMIGRANT;

8 (3) AN ALIEN WHO HAS BEEN GRANTED THE STATUS OF CUBAN OR
9 HAITIAN ENTRANT, AS DEFINED IN SECTION 501(E) OF THE REFUGEE EDUCATION
10 ASSISTANCE ACT OF 1980; OR

11 (4) AN INDIVIDUAL LAWFULLY RESIDING IN THE UNITED STATES IN
12 ACCORDANCE WITH A COMPACT OF FREE ASSOCIATION, AS APPLICABLE UNDER 8
13 U.S.C. § 1612(B)(2)(G).

14 (B) (1) THE DEPARTMENT SHALL VERIFY THAT AN INDIVIDUAL IS
15 ELIGIBLE TO RECEIVE BENEFITS UNDER THE SUPPLEMENTAL NUTRITION
16 ASSISTANCE PROGRAM UNDER 7 U.S.C. § 2015(F) AND SUBSECTION (A) OF THIS
17 SECTION BY REQUIRING AN INDIVIDUAL TO PROVIDE PROOF OF CITIZENSHIP OR
18 ELIGIBLE ALIEN STATUS BY PROVIDING DOCUMENTATION, INCLUDING:

19 (I) A BIRTH OR HOSPITAL RECORD;

20 (II) A VOTER REGISTRATION CARD;

21 (III) A U.S. PASSPORT; AND

22 (IV) U.S. CUSTOMS AND IMMIGRATION SERVICE
23 DOCUMENTATION.

24 (2) (I) IF AN INDIVIDUAL IS ELIGIBLE TO RECEIVE BENEFITS
25 UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM UNDER
26 SUBSECTION (A) OF THIS SECTION AND IS NOT A CITIZEN OR NATIONAL OF THE
27 UNITED STATES, THE DEPARTMENT SHALL VERIFY THE INDIVIDUAL'S STATUS
28 USING THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS ONLINE
29 SERVICE.

1 **(II) ON A MONTHLY BASIS, THE DEPARTMENT SHALL ASSESS**
2 **THE CONTINUED ELIGIBILITY OF AN INDIVIDUAL WHO IS NOT A CITIZEN OR**
3 **NATIONAL OF THE UNITED STATES USING THE SYSTEMATIC ALIEN VERIFICATION**
4 **FOR ENTITLEMENTS ONLINE SERVICE OR ANY OTHER FEDERAL DATABASE USED TO**
5 **DETERMINE CITIZENSHIP OR IMMIGRATION STATUS.**

6 **(C) THE DEPARTMENT SHALL SUBMIT TO THE U.S. DEPARTMENT OF**
7 **AGRICULTURE INFORMATION CONCERNING ANY INDIVIDUAL FOR WHOM THE**
8 **DEPARTMENT IS UNABLE TO VERIFY ELIGIBLE IMMIGRATION STATUS UNDER**
9 **SUBSECTION (A) OF THIS SECTION, REGARDLESS OF WHETHER THE INDIVIDUAL IS**
10 **APPLYING FOR BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE**
11 **PROGRAM.**

12 **(D) (1) WHEN DETERMINING THE ELIGIBILITY AND BENEFIT AMOUNT**
13 **FOR ANY HOUSEHOLD APPLYING FOR BENEFITS UNDER THE SUPPLEMENTAL**
14 **NUTRITION ASSISTANCE PROGRAM, THE DEPARTMENT SHALL INCLUDE THE**
15 **INCOME AND FINANCIAL RESOURCES OF ANY INDIVIDUAL IN THE HOUSEHOLD WHO**
16 **IS INELIGIBLE TO RECEIVE BENEFITS UNDER THE SUPPLEMENTAL NUTRITION**
17 **ASSISTANCE PROGRAM UNDER 7 U.S.C. § 2015(F) AND SUBSECTION (A) OF THIS**
18 **SECTION.**

19 **(2) NOTWITHSTANDING ANY OPTIONS PROVIDED UNDER 7 C.F.R. §**
20 **273.11(C)(3), THE DEPARTMENT MAY NOT PRORATE OR EXCLUDE THE INCOME OR**
21 **FINANCIAL RESOURCES OF INELIGIBLE INDIVIDUALS.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
23 the application of any provision of this Act to any person or circumstance is held invalid for
24 any reason in a court of competent jurisdiction, the invalidity does not affect other
25 provisions or any other application of this Act that can be given effect without the invalid
26 provision or application, and for this purpose the provisions of this Act are declared
27 severable.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2026.