



# Montgomery County

## Office of Intergovernmental Relations

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**SB 742**

**DATE: March 3, 2026**

**SPONSOR: Senators Guzzone and Zucker**

**ASSIGNED TO: Finance**

**CONTACT PERSON: Leslie Frey**

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**POSITION: SUPPORT (Department of Health and Human Services)**

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### **Maryland Medical Assistance Program and Developmental Disabilities Administration - Home- and Community-Based Services Eligibility Determinations (Maryland Protecting People With Disabilities Act)**

Senate Bill 742 would repeal the 90-day time limit for people receiving Developmental Disability Administration (DDA) services to appeal a loss of eligibility; establish clearer requirements for service eligibility determinations and redeterminations under Medicaid including 45 day timeframes if a participant does not require a determination of disability status and 90 days if a participant does require a determination of disability status; require the Maryland Department of Health (MDH) to continue to provide services until a program recipient's due process rights have been exhausted and a final determination is issued; prohibit procedural disenrollment from Medicaid or HCBS solely on technical grounds, except under limited circumstances such as having exhausted all ex-parte verification processes and providing verified notification of the incomplete application; and requires MDH to monitor metrics related to determinations and redeterminations and report to the General Assembly on a quarterly basis.

MDH's Medicaid's Eligibility Determination Division has experienced systemic deficiencies resulting in the improper disenrollment of numerous individuals with disabilities who rely on vital home- and community-based services. These unwarranted terminations have inflicted significant harm on those affected, and many developmental disability provider agencies have been compelled to continue delivering uncompensated services for extended periods—without any assurance of retroactive payment.

Senate Bill 742 safeguards beneficiaries from losing Medicaid coverage and access to DDA services through no fault of their own. It requires DDA to reserve waiver slots for participants erroneously disenrolled after January 1, 2024, and prohibits DDA from placing these individuals on waiting lists or mandating a new waiver application when the disenrollment resulted from an administrative error. Because of the bill's positive impacts on both DDA service recipient and providers, the Montgomery County Department of Health and Human Services respectfully urges the committee to issue a favorable report on Senate Bill 742.