



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

March 31, 2026

The Honorable Heather Bagnall
Chair, House Health Committee
241 House Office Building
Annapolis, MD 21401-1991

RE: Senate Bill 742 – Maryland Medical Assistance Program and Developmental Disabilities Administration – Home– and Community–Based Services Eligibility Determinations (Maryland Protecting People with Disabilities Act) – Letter of Support with Amendments

Dear Chair Bagnall and Committee Members,

The Maryland Department of Health (the Department) respectfully submits this letter of support with amendments for Senate Bill (SB) 742 – Maryland Medical Assistance Program and Developmental Disabilities Administration – Home– and Community–Based Services Eligibility Determinations (Maryland Protecting People with Disabilities Act).

This issue of home and community-based services (HCBS) waiver eligibility determinations is extremely important to the Department and improvements to the process for the Secretary and Maryland Medicaid Director are a top priority, to support our members, families, and providers.

SB 742 codifies federal requirements related to reinstatement of coverage following a timely appeal; completion of timely determinations, redeterminations, and ex parte redeterminations; as well as provision of notices to participants. These requirements are already a part of the waiver eligibility process and the Department is working diligently to enhance these processes and systems and expedite the process where possible.

The Department worked with stakeholders to resolve conflicts between SB 742 and federal requirements for the HCBS waiver process. The proposed amendments would ensure compliance with existing federal statutes and regulations.

If you would like to discuss this further, please do not hesitate to contact Meghan Lynch, Director of Governmental Affairs at meghan.lynch@maryland.gov.

Sincerely,

Meena Seshamani, M.D., Ph.D.
Secretary of Health

Amendments to SB 742
(Third Reading Bill File)

AMENDMENT NO. 1

On page 5, in line 24, after “MANNER” insert “**AFTER A RECIPIENT HAS TIMELY RETURNED INFORMATION REQUIRED UNDER 42 CFR § 435.916(b)(2)(1)(B) and 42 CFR 435.952(c)**”

Rationale: Ensure compliance with federal statutes.

AMENDMENT NO. 2

On page 6, strike lines 24 through 26 in their entirety.

Rationale: Ensure compliance with federal statutes.