

# HOUSE BILL 954

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EMERGENCY BILL

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By: **Delegates Mizeur, Bobo, Cullison, Fraser-Hidalgo, Frick, Gutierrez, A. Kelly, Luedtke, Mitchell, Morhaim, B. Robinson, and M. Washington**

Introduced and read first time: February 6, 2014

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Medicaid Streamlined Eligibility Act of 2014**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene, subject  
4 to certain conditions, to extend the Medicaid renewal period for certain  
5 renewals in a certain manner; requiring the Department to enroll individuals  
6 and parents into Medicaid based on certain eligibility; requiring the  
7 Department to adopt a certain continuous eligibility period for parents, other  
8 adults, and children; requiring the Department to follow the guidance in a  
9 certain letter in implementing certain provisions of this Act; making this Act an  
10 emergency measure; and generally relating to eligibility, enrollment, and  
11 renewal in Medicaid.

12 BY repealing and reenacting, with amendments,  
13 Article – Health – General  
14 Section 15–103(a)  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume and 2013 Supplement)

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

19 **Article – Health – General**

20 15–103.

21 (a) (1) The Secretary shall administer the Maryland Medical Assistance  
22 Program.

23 (2) The Program:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Subject to the limitations of the State budget, shall provide  
2 medical and other health care services for indigent individuals or medically indigent  
3 individuals or both;

4 (ii) Shall provide, subject to the limitations of the State budget,  
5 comprehensive medical and other health care services for all eligible pregnant women  
6 whose family income is at or below 250 percent of the poverty level, as permitted by  
7 the federal law;

8 (iii) Shall provide, subject to the limitations of the State budget,  
9 comprehensive medical and other health care services for all eligible children  
10 currently under the age of 1 whose family income falls below 185 percent of the  
11 poverty level, as permitted by federal law;

12 (iv) Beginning on January 1, 2012, shall provide, subject to the  
13 limitations of the State budget, family planning services to all women whose family  
14 income is at or below 200 percent of the poverty level, as permitted by federal law;

15 (v) Shall provide, subject to the limitations of the State budget,  
16 comprehensive medical and other health care services for all children from the age of 1  
17 year up through and including the age of 5 years whose family income falls below 133  
18 percent of the poverty level, as permitted by the federal law;

19 (vi) Beginning on January 1, 2014, shall provide, subject to the  
20 limitations of the State budget, comprehensive medical care and other health care  
21 services for all children who are at least 6 years of age but are under 19 years of age  
22 whose family income falls below 133 percent of the poverty level, as permitted by  
23 federal law;

24 (vii) Shall provide, subject to the limitations of the State budget,  
25 comprehensive medical care and other health care services for all legal immigrants  
26 who meet Program eligibility standards and who arrived in the United States before  
27 August 22, 1996, the effective date of the federal Personal Responsibility and Work  
28 Opportunity Reconciliation Act, as permitted by federal law;

29 (viii) Shall provide, subject to the limitations of the State budget  
30 and any other requirements imposed by the State, comprehensive medical care and  
31 other health care services for all legal immigrant children under the age of 18 years  
32 and pregnant women who meet Program eligibility standards and who arrived in the  
33 United States on or after August 22, 1996, the effective date of the federal Personal  
34 Responsibility and Work Opportunity Reconciliation Act;

35 (ix) Beginning on January 1, 2014, shall provide, subject to the  
36 limitations of the State budget, and as permitted by federal law, medical care and  
37 other health care services for adults whose annual household income is at or below 133  
38 percent of the poverty level;

1 (x) Subject to the limitations of the State budget, and as  
2 permitted by federal law:

3 1. Shall provide comprehensive medical care and other  
4 health care services for former foster care adolescents who, on their 18th birthday,  
5 were in foster care under the responsibility of the State and are not otherwise eligible  
6 for Program benefits; and

7 2. May provide comprehensive medical care and other  
8 health care services for former foster care adolescents who, on their 18th birthday,  
9 were in foster care under the responsibility of any other state or the District of  
10 Columbia;

11 (xi) May include bedside nursing care for eligible Program  
12 recipients; and

13 (xii) Shall provide services in accordance with funding  
14 restrictions included in the annual State budget bill.

15 (3) Subject to restrictions in federal law or waivers, the Department  
16 may:

17 (i) Impose cost-sharing on Program recipients; and

18 (ii) For adults who do not meet requirements for a federal  
19 category of eligibility for Medicaid:

20 1. Cap enrollment; and

21 2. Limit the benefit package.

22 (4) Subject to the limitations of the State budget, the Department  
23 shall implement the provisions of Title II of the federal Patient Protection and  
24 Affordable Care Act, as amended by the federal Health Care and Education  
25 Reconciliation Act of 2010, to include:

26 (i) Parents and caretaker relatives who have a dependent child  
27 living in the parents' or caretaker relatives' home; and

28 (ii) Adults who do not meet requirements, such as age,  
29 disability, or parent or caretaker relative of a dependent child, for a federal category of  
30 eligibility for Medicaid and who are not enrolled in the federal Medicare program, as  
31 enacted by Title XVII of the Social Security Act.

32 **(5) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, AND**  
33 **AS PERMITTED BY FEDERAL LAW, THE DEPARTMENT SHALL:**

1                   **(I)    EXTEND THE MEDICAID RENEWAL PERIOD SO THAT**  
2 **RENEWALS THAT OTHERWISE WOULD OCCUR DURING THE PERIOD OF JANUARY**  
3 **1, 2014, THROUGH MARCH 31, 2014, OCCUR LATER;**

4                   **(II)   ENROLL INDIVIDUALS INTO MEDICAID BASED ON**  
5 **ELIGIBILITY FOR THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE**  
6 **PROGRAM;**

7                   **(III)   ENROLL PARENTS INTO MEDICAID BASED ON THE**  
8 **INCOME ELIGIBILITY OF THEIR CHILDREN;**

9                   **(IV)   ADOPT 12-MONTH CONTINUOUS ELIGIBILITY FOR**  
10 **PARENTS AND OTHER ADULTS; AND**

11                   **(V)   ADOPT 12-MONTH CONTINUOUS ELIGIBILITY FOR**  
12 **CHILDREN.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That in implementing the  
14 provisions of § 15–103(a)(5)(i) through (iv) of the Health – General Article, as enacted  
15 by Section 1 of this Act, the Department of Health and Mental Hygiene shall follow  
16 the guidance provided by the director of the Center for Medicaid and CHIP Services of  
17 the federal Centers for Medicare and Medicaid Services in a May 17, 2013, letter to  
18 state health officials and state Medicaid directors.

19           SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
20 measure, is necessary for the immediate preservation of the public health or safety,  
21 has been passed by a ye and nay vote supported by three–fifths of all the members  
22 elected to each of the two Houses of the General Assembly, and shall take effect from  
23 the date it is enacted.