Unofficial Copy 2003 Regular Session

O3 (3lr2108)

***A note to readers: The Microsoft word version differs from the pdf version because it does not contain line numbers or material that was crossed out and deleted from the final version of the law. We have included a word version to provide greater access to the information. When you see material in all capital letters, it represents what was new when this particular bill was passed.***

***ENROLLED BILL***

*-- Health and Government Operations/Finance --*

Introduced by **Delegates Frush, Healey, Barve, Bobo, Branch, Conroy,**

# Conway, Eckardt, Goldwater, Gordon, Mandel, Moe, Oaks, Pendergrass, ~~and Taylor~~ Taylor, Kach, V. Turner, Hubbard, and Nathan-Pulliam

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

day of at o'clock, M.

Speaker.

CHAPTER

1. AN ACT concerning

# Medical Assistance Program - Employed Persons with Disabilities Program

FOR the purpose of requiring the Department of Health and Mental Hygiene to implement the

Employed Persons with Disabilities Program by a certain date, subject to

certain limitations; requiring the Department to consult with a certain coalition

prior to adopting regulations that develop the eligibility criteria for the

Program; requiring the Department, in consultation with a certain coalition, to

review certain regulations at least every ~~3~~ *three* years; requiring the

Department to submit certain reports to the Governor and certain legislative

committees by certain dates; and generally relating to the Employed Persons

with Disabilities Program.

BY adding to

Article - Health - General

Section 15-136

Annotated Code of Maryland

(2000 Replacement Volume and 2002 Supplement)

Preamble

WHEREAS, Many individuals with disabilities would like to work but cannot

afford to enter the workforce because that would mean losing the necessary medical

services they receive through Medicaid; and

WHEREAS, The federal Ticket to Work and Work Incentives Improvement Act

allows states to establish new Medicaid eligibility categories for working people with

disabilities whose income or resources would otherwise make them ineligible for

Medicaid; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

MARYLAND, That the Laws of Maryland read as follows:

# Article - Health - General

(A) TO THE EXTENT THAT FUNDING IS AVAILABLE IN THE STATE BUDGET,

THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL IMPLEMENT THE

EMPLOYED PERSONS WITH DISABILITIES PROGRAM BY JULY 1, 2005.

(B) THE PURPOSE OF THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM

IS TO ENCOURAGE INDIVIDUALS WITH DISABILITIES TO SEEK OR MAINTAIN

EMPLOYMENT.

(C) (1) THE SECRETARY SHALL ADOPT REGULATIONS THAT DEVELOP

SPECIFIC ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE EMPLOYED PERSONS

WITH DISABILITIES PROGRAM.

(A) TO THE EXTENT THAT FUNDING IS AVAILABLE IN THE STATE BUDGET,

THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL IMPLEMENT THE

EMPLOYED PERSONS WITH DISABILITIES PROGRAM BY JULY 1, 2005.

(B) THE PURPOSE OF THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM

IS TO ENCOURAGE INDIVIDUALS WITH DISABILITIES TO SEEK OR MAINTAIN

EMPLOYMENT.

(C) (1) THE SECRETARY SHALL ADOPT REGULATIONS THAT DEVELOP

SPECIFIC ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE EMPLOYED PERSONS

WITH DISABILITIES PROGRAM.

(2) PRIOR TO ADOPTING THE REGULATIONS REQUIRED UNDER

PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL:

(I) CONSULT WITH THE COALITION FOR WORK INCENTIVES

IMPROVEMENT; AND

(II) GIVE PREFERENCE TO THE RECOMMENDATIONS FOR

ELIGIBILITY CRITERIA DEVELOPED BY THE COALITION.

(D) AT LEAST EVERY 3 YEARS AFTER THE ADOPTION OF THE REGULATIONS

REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL

REVIEW THE REGULATIONS IN CONSULTATION WITH THE COALITION FOR WORK

INCENTIVES IMPROVEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2004, the Department of Health and Mental

Hygiene shall issue a preliminary report on the implementation of the Employed

Persons with Disabilities Program and the use of the federal grant funds for

implementation activities to the Governor, and, in accordance with § 2-1246 of the

State Government Article, the Senate Budget and Taxation Committee, the Senate

Finance Committee, the House Appropriations Committee, and the House Health and

Government Operations Committee; and

(b) On or before January 1, 2005, the Department of Health and Mental

Hygiene shall issue a final report defining the specific eligibility criteria and the

status of implementation of the Employed Persons with Disabilities Program to the

Governor, and, in accordance with § 2-1246 of the State Government Article, the

Senate Budget and Taxation Committee, the Senate Finance Committee, the House

Appropriations Committee, and the House Health and Government Operations

Committee.

SECTION ~~5.~~ 3. AND BE IT FURTHER ENACTED, That

this Act shall take effect July 1, 2003.