

SENATE BILL 242

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8lr0751

By: **Senator Kelley (Chair, Joint Committee on Access to Mental Health Services) and Senators Astle, Conway, Gladden, Jones, Kasemeyer, Middleton, and Peters**

Introduced and read first time: January 23, 2008

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Health and Mental Hygiene – Developmental Disabilities and**
3 **Mental Health Services – Cost-of-Living Adjustment**

4 FOR the purpose of requiring that in certain fiscal years the fees paid by the
5 Department of Health and Mental Hygiene to a community developmental
6 disabilities services provider or a community mental health services provider be
7 adjusted annually by a certain rate of change as recommended by the
8 Community Services Reimbursement Rate Commission; and generally relating
9 to the Department of Health and Mental Hygiene and fees paid to community
10 developmental disabilities and mental health services providers.

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 16–201.2
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2007 Supplement)

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

18 **Article – Health – General**

19 16–201.2.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) “Community developmental disabilities services provider” means a
22 community-based developmental disabilities program licensed by the Department.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) “Community mental health services provider” means a
2 community-based mental health program approved by the Department or an
3 individual practitioner who contracts with the Department or the appropriate core
4 service agency.

5 (4) “Core service agency” has the meaning stated in § 10-1201 of this
6 article.

7 (5) “Eligible individual” means a Medicaid recipient or an individual
8 who receives developmental disabilities services or mental health services subsidized
9 in whole or in part by the State.

10 (b) Notwithstanding the provisions of this subtitle, the Department shall
11 reimburse a community developmental disabilities services provider or a community
12 mental health services provider for approved services rendered to an eligible
13 individual as provided in this section.

14 (c) (1) [Subject to the limitations of the State budget, beginning]
15 **BEGINNING** in fiscal year 2008 and in each fiscal year thereafter, the Department
16 shall adjust for inflation the fees paid to a community developmental disabilities
17 services provider and a community mental health services provider for approved
18 services rendered to an eligible individual using the update factor recommended by
19 the Community Services Reimbursement Rate Commission.

20 (2) Annual adjustments shall be funded with due regard to the
21 expenditures necessary to meet the needs of individuals receiving services.

22 (3) The annual rate of change for the fees may not exceed a maximum
23 rate of 5%.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 July 1, 2008.