

HOUSE BILL 450

C3, J3

(11r1340)

ENROLLED BILL

— Health and Government Operations/Finance —

Introduced by **Delegates Hubbard and Hammen**

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

2 **Maryland Community Health Resources Commission – Health Care Reform –**
3 **~~Safety Net Providers~~ Implementation**

4 FOR the purpose of authorizing the Maryland Community Health Resources
5 Commission to provide certain assistance to ~~safety net providers~~ community
6 health resources in preparing to implement certain health care reform;
7 authorizing the Commission to examine certain issues and potential challenges
8 for ~~safety net providers~~ community health resources in preparing to implement
9 certain health care reform; requiring the Commission to develop a certain
10 business plan for the provision by the State of certain assistance to ~~safety net~~
11 ~~providers~~ community health resources; requiring the Commission to make
12 certain recommendations to the Governor and certain committees of the
13 General Assembly on or before a certain date; altering a certain definition;
14 defining certain terms; and generally relating to the Maryland Community

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Health Resources Commission and the implementation of health care reform ~~by~~
2 ~~safety net providers.~~

3 BY repealing and reenacting, with amendments,
4 Article – Health – General
5 Section 19–2101 and 19–2107(a)
6 Annotated Code of Maryland
7 (2009 Replacement Volume and 2010 Supplement)

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

10 **Article – Health – General**

11 19–2101.

12 (a) In this subtitle the following words have the meanings indicated.

13 **(B) “AFFORDABLE CARE ACT” MEANS THE FEDERAL PATIENT**
14 **PROTECTION AND AFFORDABLE CARE ACT, AS AMENDED BY THE FEDERAL**
15 **HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, AND ANY**
16 **REGULATIONS ADOPTED OR GUIDANCE ISSUED UNDER THE ACTS.**

17 **[(b)] (C)** “Commission” means the Maryland Community Health Resources
18 Commission.

19 **[(c)] (D)** (1) “Community health resource” means a nonprofit or for profit
20 health care center or program that offers the primary health care services required by
21 the Commission under § 19–2109(a)(2) of this subtitle to an individual on a sliding
22 scale fee schedule and without regard to an individual’s ability to pay.

23 (2) “Community health resource” includes:

24 (i) A federally qualified health center;

25 (ii) A federally qualified health center “look-alike”;

26 (iii) A community health center;

27 (iv) A migrant health center;

28 (v) A health care program for the homeless;

29 (vi) A primary care program for a public housing project;

- 1 (vii) A local nonprofit and community-owned health care
2 program;
- 3 (viii) A school-based health center;
- 4 (ix) A teaching clinic;
- 5 (x) A wellmobile;
- 6 (xi) A health center controlled operating network;
- 7 (xii) A historic Maryland primary care provider;
- 8 (xiii) An outpatient [mental health clinic] **BEHAVIORAL HEALTH**
9 **PROGRAM**; and
- 10 (xiv) Any other center or program identified by the Commission
11 as a community health resource.

12 ~~(E) "SAFETY NET PROVIDER" MEANS A PROVIDER THAT DELIVERS A~~
13 ~~SIGNIFICANT LEVEL OF HEALTH CARE TO THE UNINSURED, ENROLLEES IN THE~~
14 ~~MEDICAL ASSISTANCE PROGRAM, OR OTHER VULNERABLE PATIENTS.~~

15 19-2107.

- 16 (a) In addition to the powers set forth elsewhere in this subtitle, the
17 Commission may:
- 18 (1) Adopt regulations to carry out the provisions of this subtitle;
- 19 (2) Create committees from among its members;
- 20 (3) Appoint advisory committees, which may include individuals and
21 representatives of interested public or private organizations;
- 22 (4) Apply for and accept any funds, property, or services from any
23 person or government agency;
- 24 (5) Make agreements with a grantor or payor of funds, property, or
25 services, including an agreement to make any study, plan, demonstration, or project;
- 26 (6) Publish and give out any information that relates to expanding
27 access to health care through community health resources that is considered desirable
28 in the public interest; [and]

1 (7) Subject to the limitations of this subtitle, exercise any other power
2 that is reasonably necessary to carry out the purposes of this subtitle; AND

3 (8) ASSIST ~~SAFETY NET PROVIDERS~~ COMMUNITY HEALTH
4 RESOURCES IN PREPARING TO IMPLEMENT THE AFFORDABLE CARE ACT.

5 SECTION 2. AND BE IT FURTHER ENACTED, That:

6 (a) In this section, “Affordable Care Act” and “~~safety net provider~~ community
7 health resource” have the meanings stated in § 19–2101 of the Health – General
8 Article, as enacted by Section 1 of this Act.

9 (b) The Maryland Community Health Resources Commission shall:

10 (1) examine issues and potential challenges for ~~safety net providers~~
11 community health resources in preparing to implement health care reform associated
12 with the Affordable Care Act, including:

13 (i) the administrative infrastructure and information
14 technology capacity of ~~safety net providers~~ community health resources and any
15 barriers to ~~safety net providers~~ community health resources achieving meaningful use
16 of the information technology;

17 (ii) whether common administrative and information technology
18 systems and technical assistance would help ~~safety net providers~~ community health
19 resources in contracting with managed care organizations and commercial insurers;

20 (iii) opportunities for ~~safety net providers~~ community health
21 resources to partner to achieve efficient administrative economies of scale;

22 (iv) ~~methods to assist safety net providers to obtain~~
23 ~~reimbursement from~~ barriers to ~~safety net providers~~ community health resources
24 contracting with and billing third-party payors;

25 (v) assistance in positioning ~~safety net providers~~ community
26 health resources to obtain resources available under health care reform; and

27 (vi) barriers that may impede ~~safety net providers~~ community
28 health resources from sustaining their service delivery; and

29 (2) develop a business plan for the State to provide ongoing assistance
30 to ~~safety net providers~~ community health resources to assist the ~~providers~~ community
31 health resources in:

32 (i) ~~obtaining reimbursement from third-party payors; and~~

1 ~~(ii)~~ sustaining and enhancing their service delivery.

2 (c) On or before January 1, 2012, the Maryland Community Health
3 Resources Commission shall make recommendations for a plan to assist ~~safety-net~~
4 ~~providers~~ *community health resources* in implementing health care reform associated
5 with the Affordable Care Act to the Governor and, in accordance with § 2-1246 of the
6 State Government Article, the Senate Finance Committee and the House Health and
7 Government Operations Committee.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.