

of Public Institutions

FOR the purpose of directing the Department of Health and Mental Hygiene to assume certain costs of medical care provided inmates of public institutions who are eligible for Medicaid federally funded Medicaid benefits; providing for certain reimbursement of the Department of Health and Mental Hygiene by ~~other-State agencies~~ State and local authorities; defining certain terms; and generally relating to payment of costs of medical care furnished inmates of public institutions.

BY adding to

Article 43 - Health
Section 42-0
Annotated Code of Maryland
(1971 Replacement Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

42-0.

IF AN INDIVIDUAL WHO IS AN INMATE OF A PUBLIC INSTITUTION IS ELIGIBLE FOR MEDICAID FEDERALLY FUNDED MEDICAID BENEFITS, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, MEDICAL ASSISTANCE ADMINISTRATION, SHALL ASSUME-~~THE STATE'S-MEDICAID-SHARE-OF-THE-COST-OF,~~ IN ACCORDANCE WITH APPLICABLE PROGRAM RULES, PAY THE CUSTODIAL AUTHORITY FOR MEDICAL CARE FURNISHED THE INDIVIDUAL IN THE MONTH HE OR SHE BECAME AN INMATE OF A PUBLIC INSTITUTION; IN THE CASE OF A STATE ~~DEPARTMENT~~ AUTHORITY RESPONSIBLE FOR AN INMATE, THAT ~~DEPARTMENT~~ AUTHORITY SHALL REIMBURSE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR THE NONFEDERAL COST OF MEDICAL CARE; AND IN THE CASE OF A LOCAL AUTHORITY RESPONSIBLE FOR AN INMATE, THE LOCAL AUTHORITY SHALL REIMBURSE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR THE NONFEDERAL COST OF MEDICAL CARE. "PUBLIC INSTITUTION" AND "INMATE OF A PUBLIC INSTITUTION" ARE AS DEFINED IN TITLE 42, SECTION 435.1009 OF THE CODE OF FEDERAL REGULATIONS, 1978 EDITION, AS AMENDED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 6, 1980.