

recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Medical Assistance Program and Program benefits for individuals in an institution for the treatment of mental disease benefits and services for individuals who are incarcerated or institutionalized.

BY repealing and reenacting, without amendments,

Article - Health - General

Section 15-101(a), (h), and (i)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

BY adding to

Article - Health - General

Section 15-109.2

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

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

Article - Health - General

15-101.

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

(h) "Program" means the Maryland Medical Assistance Program.

(i) "Program recipient" means an individual who receives benefits under the Program.

15-109.2.

TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, IF A PROGRAM RECIPIENT WHO IS AT LEAST 21 YEARS OLD BUT IS UNDER THE AGE OF 65 YEARS IS INCARCERATED OR IS ADMITTED TO AN INSTITUTION FOR THE TREATMENT OF MENTAL DISEASE, THE DEPARTMENT:

(1) SHALL SUSPEND PROGRAM BENEFITS FOR THAT INDIVIDUAL WHILE THE INDIVIDUAL IS INCARCERATED OR IS IN THE INSTITUTION; AND

(2) MAY NOT TERMINATE PROGRAM BENEFITS FOR THAT INDIVIDUAL BASED ON THE INCARCERATION OF THE INDIVIDUAL OR ON THE ADMISSION OF THE INDIVIDUAL TO THE INSTITUTION.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act is contingent on the Department of Health and Mental Hygiene's receipt of funding for the development of a new computerized eligibility system for the Maryland Medical Assistance Program and the implementation of the system, and shall take effect on the date the system is implemented. The Department, within 5 days after the