

(D) THE DEPARTMENT SHALL WORK WITH THE MARYLAND HEALTH RESOURCE PLANNING COMMISSION TO TRY TO ASSURE THAT 20% OF ASSISTED LIVING PROGRAM WAIVER BEDS ARE NURSING FACILITY BEDS THAT HAVE BEEN CONVERTED TO ASSISTED LIVING BEDS.

~~(D)~~ (E) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT, INTERFERE WITH, OR INTERRUPT ANY SERVICES REIMBURSED THROUGH THE MARYLAND MEDICAL ASSISTANCE STATE PROGRAM UNDER THIS TITLE.

~~(E) ANY SAVINGS INITIALLY REALIZED IN THE MARYLAND MEDICAL ASSISTANCE LONG TERM CARE PROGRAM FROM THE AMENDED WAIVER SHALL BE USED.~~

~~(1) IN THE FIRST FISCAL YEAR, TO INCREASE THE MEDICAL ASSISTANCE REIMBURSEMENT RATE FOR NURSING HOMES; AND~~

~~(2) EACH FISCAL YEAR THEREAFTER, IN EQUAL PARTS, TO INCREASE THE MEDICAL ASSISTANCE REIMBURSEMENT RATE FOR NURSING HOMES AND TO INCREASE WAIVER PARTICIPATION.~~

(F) IF A PERSON DETERMINED TO BE ELIGIBLE TO RECEIVE WAIVER SERVICES UNDER THIS SECTION DESIRES TO RECEIVE WAIVER SERVICES AND AN APPROPRIATE PLACEMENT IS AVAILABLE, THE DEPARTMENT SHALL AUTHORIZE THE PLACEMENT.

~~(G) AN INDIVIDUAL ELIGIBLE UNDER THE WAIVER MAY NOT BE EXCLUDED FROM ELIGIBILITY FOR OTHER TYPES OF WAIVER SERVICES.~~

~~(H)~~ (G) WAIVER SERVICES SHALL BE JOINTLY ADMINISTERED BY THE DEPARTMENTS OF AGING, HUMAN RESOURCES, AND HEALTH AND MENTAL HYGIENE.

~~(H)~~ (H) THE DEPARTMENT, IN CONSULTATION WITH REPRESENTATIVES OF THE AFFECTED INDUSTRY AND ADVOCATES FOR WAIVER CANDIDATES, AND WITH THE APPROVAL OF THE DEPARTMENT OF AGING AND THE DEPARTMENT OF HUMAN RESOURCES, SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION WITHIN 180 DAYS OF RECEIPT OF APPROVAL OF THE AMENDED WAIVER APPLICATION FROM THE HEALTH CARE FINANCING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

~~(I)~~ (I) SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY EVERY 6 MONTHS CONCERNING THE STATUS OF THE DEPARTMENT'S APPLICATION UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1999.

Approved April 27, 1999.