

~~(1) If the Centers for Medicare and Medicaid Services approves the application for implementation of the Employed Persons with Disabilities Program:~~

~~(i) Section 1 of this Act shall take effect 3 months after the date on which the Centers for Medicare and Medicaid Services issues its approval; and~~

~~(ii) Within 7 months of the date on which the Centers for Medicare and Medicaid Services issues its approval, the Department of Health and Mental Hygiene, in consultation with the Maryland Coalition for Work Incentive Program, shall adopt regulations to implement the Employed Persons with Disabilities Program; or~~

~~(2) If the Centers for Medicare and Medicaid Services denies the application for implementation of the Employed Persons with Disabilities Program, this Act, with no further action required by the General Assembly, shall be null and void and of no further force and effect.~~

(A) TO THE EXTENT THAT FUNDING IS AVAILABLE IN THE STATE BUDGET, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL IMPLEMENT THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM BY JULY 1, 2005.

(B) THE PURPOSE OF THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM IS TO ENCOURAGE INDIVIDUALS WITH DISABILITIES TO SEEK OR MAINTAIN EMPLOYMENT.

(C) (1) THE SECRETARY SHALL ADOPT REGULATIONS THAT DEVELOP SPECIFIC ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM.

(2) PRIOR TO ADOPTING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL:

(I) CONSULT WITH THE COALITION FOR WORK INCENTIVES IMPROVEMENT; AND

(II) GIVE PREFERENCE TO THE RECOMMENDATIONS FOR ELIGIBILITY CRITERIA DEVELOPED BY THE COALITION.

(D) AT LEAST EVERY 3 YEARS AFTER THE ADOPTION OF THE REGULATIONS REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, THE DEPARTMENT SHALL REVIEW THE REGULATIONS IN CONSULTATION WITH THE COALITION FOR WORK INCENTIVES IMPROVEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2004, the Department of Health and Mental Hygiene shall issue a preliminary report on the implementation of the Employed Persons with Disabilities Program and the use of the federal grant funds for implementation activities to the Governor, and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the Senate Finance Committee, the House Appropriations Committee, and the House Health and Government Operations Committee; and