

~~(2) (I) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY ADOPT REGULATIONS THAT ESTABLISH ADDITIONAL ELIGIBILITY CRITERIA IN ORDER TO CONTROL THE COST OF THE PROGRAM.~~

~~(II) THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY GIVE PRIORITY FOR ENROLLMENT TO INDIVIDUALS WITH:~~

~~1. MONTHLY UNEARNED INCOME OF NO GREATER THAN \$850; OR~~

~~2. MONTHLY EARNED INCOME OF NO GREATER THAN \$400.~~

~~(3) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL ACCELERATE MEASURES TO INCREASE PARTICIPATION IN THE PROGRAM TO INDIVIDUALS WITH AN ANNUAL GROSS INCOME OF NO GREATER THAN 300% OF THE FEDERAL POVERTY GUIDELINES AS RESOURCES ALLOW.~~

~~(C) THE DEPARTMENT SHALL ESTABLISH A PREMIUM STRUCTURE.~~

~~(1) FAILURE TO PAY A PREMIUM WHEN DUE SHALL RESULT IN TERMINATION OF THE INDIVIDUAL'S ELIGIBILITY FOR PARTICIPATION IN THE PROGRAM UNDER THIS SECTION, UNLESS THE INDIVIDUAL DEMONSTRATES GOOD CAUSE FOR NONPAYMENT OR LATE PAYMENT.~~

~~(2) THE DEPARTMENT MAY UTILIZE THE COLLECTION PROCEDURES THAT THE DEPARTMENT DETERMINES TO BE APPROPRIATE.~~

~~(H) IF AN INDIVIDUAL HAS PRIVATE HEALTH INSURANCE, COVERAGE UNDER THE PROGRAM IS SECONDARY.~~

~~(I) THE DEPARTMENT SHALL ENROLL PARTICIPANTS IN THE PROGRAM BY JULY 2005.~~

~~(J) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE LEGISLATIVE POLICY COMMITTEE REGARDING THE DEVELOPMENT, IMPLEMENTATION, AND EFFICACY OF THE EMPLOYED PERSONS WITH DISABILITIES PROGRAM.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2004, the Department of Health and Mental Hygiene shall submit to the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services an application to amend the State's existing Medical Assistance Program so as to implement the Employed Persons with Disabilities Program.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene, within 5 days after receipt of approval or denial by the Centers for Medicare and Medicaid Services of the application for the Employed Persons with Disabilities Program, shall forward a copy of the approval or denial to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.~~

~~SECTION 4. AND BE IT FURTHER ENACTED, That:~~