

FOR the purpose of requiring the Department of Health and Mental Hygiene to apply to the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services for an amendment to the State Medical Assistance Program to allow the Department to receive certain federal matching funds for part of the nonroom-and-board portion of certain residential care costs; ~~requiring stating the intent of the General Assembly requiring~~ that the Governor include certain funds in the budget under certain conditions for the Subcabinet for Children, Youth, and Families Resource Fund to create a certain interagency pool; requiring that the interagency pool created under this Act be used to provide certain community-based services and community-based out-of-home placements needed by certain children with mental or developmental disabilities; requiring the Office of Children, Youth, and Families to adopt certain regulations ~~under certain circumstances~~; providing that the Act is not intended to result in the reduction of certain federal funds; providing for the termination of this Act under certain circumstances; and generally relating to community-based services for children with disabilities.

BY adding to

Article - Health - General

Section 15-136

Annotated Code of Maryland

(2000 Replacement Volume and 2002 Supplement)

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

Article - Health - General

15-136.

(A) ON OR BEFORE DECEMBER 1, 2003, THE DEPARTMENT SHALL SUBMIT AN APPLICATION TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO AMEND THE STATE MEDICAL ASSISTANCE PROGRAM TO ALLOW THE DEPARTMENT TO RECEIVE FEDERAL MATCHING FUNDS FOR PART OF THE NONROOM-AND-BOARD PORTION OF THE COSTS OF ALL ELIGIBLE RESIDENTIAL CARE THAT ARE RELATED TO THE THERAPEUTIC COMPONENTS OF CARE PROVIDED BY STATE AND LOCAL AGENCIES THROUGH PUBLIC OR PRIVATE PROVIDERS TO INDIVIDUALS UNDER THE AGE OF 21 YEARS.

(B) THE APPLICATION SUBMITTED BY THE DEPARTMENT UNDER SUBSECTION (A) OF THIS SECTION:

(1) SHALL APPLY TO A RESIDENTIAL CARE PLACEMENT PROVIDING THERAPEUTIC OR REHABILITATIVE SERVICES IN ADDITION TO ROOM AND BOARD SERVICES TO AN INDIVIDUAL WHO IS:

(I) UNDER THE AGE OF 21 YEARS; AND

(II) IN THE CARE OR CUSTODY OF, COMMITTED TO, OR VOLUNTARILY PLACED BY ANY STATE OR LOCAL AGENCY IN THE STATE; AND