

(2) ~~BEFORE~~ AFTER A DETERMINATION OF INCOME ELIGIBILITY IS MADE FOR A NURSING HOME RESIDENT UNDER THE PROGRAM, THE PERSONAL NEEDS ALLOWANCE SHALL BE DEDUCTED FROM THE TOTAL INCOME OF THE RESIDENT.

(3) THE PERSONAL NEEDS ALLOWANCE FOR EACH RESIDENT OF A NURSING HOME WHO IS A RECIPIENT OF MEDICAL ASSISTANCE SHALL BE:

~~(I)~~ ~~BEGINNING JULY 1, 2003, \$60 \$50 PER MONTH; AND~~

(I) IF ON OR BEFORE JUNE 30, 2002, THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES APPROVE THE DEPARTMENT'S APPLICATION FOR AN AMENDMENT TO THE STATE'S EXISTING § 1115 DEMONSTRATION WAIVER NECESSARY TO IMPLEMENT THE MARYLAND PHARMACY DISCOUNT PROGRAM ESTABLISHED UNDER § 15-124.1 OF THE HEALTH - GENERAL ARTICLE:

1. BEGINNING APRIL 1, 2003, \$50 PER MONTH;

~~(II)~~ 2. BEGINNING JULY 1, 2004, \$60 PER MONTH; AND

~~(III)~~ 3. BEGINNING JULY 1, 2004 2005, ADJUSTED ANNUALLY BY AN AMOUNT NOT EXCEEDING 5% TO REFLECT THE PERCENTAGE BY WHICH BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT (42 U.S.C. 401 THROUGH 433) ARE INCREASED BY THE FEDERAL GOVERNMENT TO REFLECT CHANGES IN THE COST OF LIVING, AS THAT PERCENTAGE CHANGE IS REPORTED IN THE FEDERAL REGISTER IN ACCORDANCE WITH ~~42 U.S.C. 415(1)(2)(D)~~ 42 U.S.C. (A)(1)(D); OR

(II) IF ON OR BEFORE JUNE 30, 2002, THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES DO NOT APPROVE THE DEPARTMENT'S APPLICATION FOR AN AMENDMENT TO THE STATE'S EXISTING § 1115 DEMONSTRATION WAIVER NECESSARY TO IMPLEMENT THE MARYLAND PHARMACY DISCOUNT PROGRAM ESTABLISHED UNDER § 15-124.1 OF THE HEALTH - GENERAL ARTICLE:

1. BEGINNING JULY 1, 2003, \$50 PER MONTH;

2. BEGINNING JULY 1, 2004, \$60 PER MONTH; AND

3. BEGINNING JULY 1, 2005, ADJUSTED ANNUALLY BY AN AMOUNT NOT EXCEEDING 5% TO REFLECT THE PERCENTAGE BY WHICH BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT (42 U.S.C. 401 THROUGH 433) ARE INCREASED BY THE FEDERAL GOVERNMENT TO REFLECT CHANGES IN THE COST OF LIVING, AS THAT PERCENTAGE CHANGE IS REPORTED IN THE FEDERAL REGISTER IN ACCORDANCE WITH 42 U.S.C. 415(A)(1)(D).

(4) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION.

[(e)] (F) Subject to the confidentiality requirements of State and federal law, the courts of this State shall admit a certified copy of a 206N form, also known as a long-term care transaction form, into evidence.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2002.