

SB0721/163520/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 721
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Administration –**”; in the same line, after “**Services –**” insert “**Expedited**”; in the same line, after “**Eligibility**” insert “**Determinations**”; in line 5, strike “that” and substitute “the Maryland Department of Health to provide an expedited Medicaid eligibility determination for developmental disabilities services to”; strike beginning with “were” in line 5 down through “services” in line 7 and substitute “received certain services in another state and relocated”; strike beginning with “requiring” in line 7 down through “State;” in line 8; in line 10, after “eligibility” insert “determinations”; in line 9, strike “authorizing” and substitute “requiring”; in line 10, after “State” insert “under certain circumstances”; and after line 11, insert:

“BY repealing and reenacting, without amendments,

Article - Health - General

Section 7-101(a) and (g)

Annotated Code of Maryland

(2023 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“7-101.

(a) In this title the following words have the meanings indicated.

(g) “Developmental disability” means a severe chronic disability of an individual that:

- (1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;
- (2) Is manifested before the individual attains the age of 22;
- (3) Is likely to continue indefinitely;
- (4) Results in an inability to live independently without external support or continuing and regular assistance; and
- (5) Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.”;

and strike in their entirety lines 21 and 22 and substitute:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DEPENDENT” MEANS AN INDIVIDUAL WITH DISABILITIES WHO:

(I) RELIES ON SUPPORT FROM AN IMMEDIATE FAMILY MEMBER WHO IS A RESIDENT OF THE STATE; OR

(II) HAS AN IMMEDIATE FAMILY MEMBER WHO IS A RESIDENT OF THE STATE AND ACTS AS THE INDIVIDUAL’S LEGAL GUARDIAN.

(3) “IMMEDIATE FAMILY MEMBER” MEANS A SPOUSE, A PARENT, AN ADOPTIVE PARENT, A STEP-PARENT, A GRANDPARENT, A STEP-GRANDPARENT, A SIBLING, A STEP-SIBLING, A CHILD, OR A STEP-CHILD.

(B) THE DEPARTMENT SHALL PROVIDE AN EXPEDITED MEDICAID ELIGIBILITY DETERMINATION FOR DEVELOPMENTAL DISABILITIES SERVICES FOR PURPOSES OF ENROLLMENT IN THE COMMUNITY PATHWAYS WAIVER TO AN INDIVIDUAL IF:

On page 2, in line 1, strike “OF AN IMMEDIATE FAMILY MEMBER”; in line 8, after “MEMBER” insert “ON WHOM THE INDIVIDUAL IS DEPENDENT”; strike in their entirety lines 10 through 14, inclusive, and substitute:

“(C) (1) IN PROVIDING EXPEDITED ELIGIBILITY DETERMINATIONS UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL:

(I) PRIORITIZE COMPLETED APPLICATIONS FOR REVIEW ON RECEIPT;

(II) TO THE EXTENT AUTHORIZED BY LAW, RELY ON DOCUMENTATION, DIAGNOSTIC EVALUATIONS, ELIGIBILITY DETERMINATIONS FROM THE INDIVIDUAL’S PREVIOUS STATE OF RESIDENCE, AND ANY OTHER DOCUMENTATION THAT THE DEPARTMENT RELIES ON WHEN MAKING OTHER DETERMINATIONS UNDER THIS TITLE; AND

(III) COMPLETE EACH EXPEDITED ELIGIBILITY DETERMINATION WITHIN 60 BUSINESS DAYS AFTER THE RECEIPT OF A COMPLETE APPLICATION.

(2) IN PROVIDING AN EXPEDITED ELIGIBILITY DETERMINATION UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT MAY NOT WAIVE SUBSTANTIVE ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THIS TITLE OR

REQUIREMENTS ESTABLISHED BY REGULATION FOR THE ASSIGNMENT OF A SERVICE PRIORITY CATEGORY.”;

in line 15, strike “(C)” and substitute “(D)”;

“(E) IF THE DEPARTMENT DETERMINES THAT AN INDIVIDUAL WHO HAS NOT YET ESTABLISHED RESIDENCY IN THE STATE MEETS THE CRITERIA ESTABLISHED UNDER SUBSECTION (B)(1)(I) AND (II) AND (2) OF THIS SECTION, THE DEPARTMENT SHALL DETERMINE WHETHER THE INDIVIDUAL HAS A DEVELOPMENTAL DISABILITY AS DEFINED UNDER § 7-101(G) OF THIS TITLE.”;

strike in their entirety lines 21 through 26, inclusive; and in line 28, strike “October 1, 2026” and substitute “July 1, 2027”.