

HOUSE BILL 1403

J1

2lr3146
CF SB 636

By: **Delegates Pena–Melnyk, Lehman, Bagnall, Carey, Chang, Charles, Henson,
Howell, R. Jones, Korman, Landis, McIntosh, Reznik, and Valentino–Smith**

Introduced and read first time: February 17, 2022

Assigned to: Rules and Executive Nominations

Re–referred to: Health and Government Operations, February 27, 2022

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of Health – Waiver Programs – Waitlist and Registry**
3 **Reduction**
4 **(End the Wait Act)**

5 FOR the purpose of requiring the Maryland Department of Health to develop ~~a plan~~ plans
6 to reduce the waitlist or registry for certain waiver programs by a certain percentage
7 beginning in a certain fiscal year; and generally relating to waiver programs
8 administered by the Maryland Department of Health.

9 BY adding to
10 Article – Health – General
11 Section 15–150
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2021 Supplement)

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

16 **Article – Health – General**

17 **15–150.**

18 **(A) (1) (I) THE DEPARTMENT SHALL DEVELOP ~~A PLAN~~ PLANS TO**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 REDUCE THE WAITLISTS FOR THE FOLLOWING WAIVER PROGRAMS BY 50%,
2 BEGINNING IN FISCAL YEAR 2024:

3 ~~(I)~~ 1. THE COMMUNITY PATHWAYS WAIVER;

4 ~~(II)~~ 2. THE COMMUNITY SUPPORTS WAIVER;

5 ~~(III)~~ 3. THE FAMILY SUPPORTS WAIVER;

6 ~~(IV)~~ 4. THE BRAIN INJURY WAIVER;

7 ~~(V)~~ 5. THE HOME- AND COMMUNITY-BASED OPTIONS
8 WAIVER;

9 ~~(VI)~~ 6. THE MEDICAL DAY CARE SERVICES WAIVER; AND

10 ~~(VII)~~ 7. THE MODEL WAIVER FOR MEDICALLY FRAGILE
11 CHILDREN; ~~AND~~

12 ~~(VIII) THE AUTISM WAIVER.~~

13 (II) THE DEPARTMENT SHALL DEVELOP A PLAN TO REDUCE
14 THE REGISTRY FOR THE AUTISM WAIVER THAT INCLUDES CONDUCTING
15 ELIGIBILITY DETERMINATIONS OF INDIVIDUALS ON THE REGISTRY AND, BEGINNING
16 IN FISCAL YEAR 2024, PROVIDING SERVICES TO AT LEAST 50% OF INDIVIDUALS
17 DETERMINED ELIGIBLE.

18 (2) THE ~~PLAN~~ PLANS REQUIRED UNDER THIS SUBSECTION SHALL
19 INCLUDE:

20 (I) AN ASSESSMENT OF WHETHER EACH WAIVER PROGRAM
21 NEEDS TO RECRUIT AND RETAIN NEW PROVIDERS;

22 ~~(I)~~ (II) MEASURES TO RECRUIT AND RETAIN PROVIDERS FOR
23 EACH WAIVER PROGRAM TO EXPAND THE CAPACITY OF THE PROGRAMS;

24 ~~(II)~~ (III) ANY CHANGES IN REIMBURSEMENT RATES NEEDED
25 TO ENSURE PROVIDER CAPACITY TO PROVIDE FOR SERVICES PROVIDED UNDER THE
26 WAIVER PROGRAMS;

27 (IV) THE EXPECTED TIME FRAME FOR CONDUCTING
28 ELIGIBILITY DETERMINATIONS FOR THE AUTISM WAIVER;

1 ~~(III)~~ (V) THE EXPECTED TIME FRAME FOR REDUCING THE
2 WAITLIST OR REGISTRY FOR EACH WAIVER PROGRAM BY 50%; AND

3 ~~(IV)~~ (VI) THE PROJECTED COST OF THE MEASURES TO BE
4 IMPLEMENTED UNDER THE ~~PLAN~~ PLANS.

5 (3) PROVISIONS OF THE ~~PLAN~~ PLANS RELATING TO THE AUTISM
6 WAIVER SHALL BE DEVELOPED IN CONJUNCTION WITH THE MARYLAND STATE
7 DEPARTMENT OF EDUCATION.

8 (B) ON OR BEFORE JANUARY 1, 2023, THE DEPARTMENT SHALL SUBMIT
9 THE ~~PLAN~~ PLANS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE
10 STATE GOVERNMENT ARTICLE, THE CHAIRS OF THE SENATE BUDGET AND
11 TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL
12 AFFAIRS COMMITTEE, THE SENATE FINANCE COMMITTEE, THE HOUSE
13 APPROPRIATIONS COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT
14 OPERATIONS COMMITTEE.

15 (C) BEGINNING IN FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN
16 THE ANNUAL BUDGET BILL SUFFICIENT FUNDS TO CARRY OUT THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.