

SENATE BILL 636

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2lr2378
CF HB 1403

By: **Senators Zucker, Guzzone, Griffith, Feldman, Kelley, ~~and Waldstreicher~~
Waldstreicher, Augustine, Beidle, Benson, Corderman, Eckardt, Edwards,
Elfreth, Hayes, Hershey, Jackson, Jennings, King, Klausmeier, Kramer,
McCray, Ready, Rosapepe, Salling, and Young**

Introduced and read first time: February 3, 2022

Assigned to: Budget and Taxation and Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 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.**

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 (A) (1) (I) THE DEPARTMENT SHALL DEVELOP ~~A PLAN~~ PLANS TO
 2 REDUCE THE WAITLISTS FOR THE FOLLOWING WAIVER PROGRAMS BY 50%,
 3 BEGINNING IN FISCAL YEAR 2024:

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

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

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

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

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

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

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

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

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

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

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

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

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

28 (IV) THE EXPECTED TIME FRAME FOR CONDUCTING
 29 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.

President of the Senate.

Speaker of the House of Delegates.