

HOUSE BILL 1040

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CF SB 876

By: **Delegates Woods, Alston, Harris, Martinez, Roberson, Ruth, Simmons, Simpson, Taveras, Taylor, Toles, Turner, White Holland, Wilkins, and Williams**

Introduced and read first time: February 7, 2024
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Limited Behavioral Health Services**

3 FOR the purpose of requiring, beginning on a certain date, the Maryland Medical
4 Assistance Program to provide limited behavioral health services to individuals
5 under a certain age regardless of whether the individual has a behavioral health
6 diagnosis; requiring the Maryland Department of Health to seek input from
7 stakeholders to determine the limited behavioral health services to be covered; and
8 generally relating to the Maryland Medical Assistance Program and limited
9 behavioral health services.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 15–103(a)(1)
13 Annotated Code of Maryland
14 (2023 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 15–103(a)(2)(xxi) and (xxii)
18 Annotated Code of Maryland
19 (2023 Replacement Volume)
20 (As enacted by Chapters 504 and 505 of the Acts of the General Assembly of 2022)

21 BY adding to
22 Article – Health – General
23 Section 15–103(a)(2)(xxiii) and 15–141.5
24 Annotated Code of Maryland
25 (2023 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 15–103.

5 (a) (1) The Secretary shall administer the Maryland Medical Assistance
6 Program.

7 (2) The Program:

8 (xxi) Beginning on January 1, 2024, shall provide gender–affirming
9 treatment in accordance with § 15–151 of this subtitle; [and]

10 (xxii) Beginning on July 1, 2025, shall provide, subject to the
11 limitations of the State budget, and as permitted by federal law, coverage for biomarker
12 testing in accordance with § 15–859 of the Insurance Article; AND

13 **(XXIII) BEGINNING ON JANUARY 1, 2025, SHALL PROVIDE**
14 **COVERAGE FOR LIMITED BEHAVIORAL HEALTH SERVICES TO INDIVIDUALS UNDER**
15 **THE AGE OF 18 YEARS REGARDLESS OF WHETHER THE INDIVIDUAL HAS A**
16 **BEHAVIORAL HEALTH DIAGNOSIS IN ACCORDANCE WITH § 15–141.5 OF THIS**
17 **SUBTITLE.**

18 **15–141.5.**

19 **(A) (1) THE PROGRAM SHALL PROVIDE LIMITED BEHAVIORAL HEALTH**
20 **SERVICES TO INDIVIDUALS UNDER THE AGE OF 18 YEARS REGARDLESS OF WHETHER**
21 **THE INDIVIDUAL HAS A BEHAVIORAL HEALTH DIAGNOSIS.**

22 **(2) THE LIMITED BEHAVIORAL HEALTH SERVICES REQUIRED TO BE**
23 **PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:**

24 **(I) EVALUATION AND TREATMENT PLANNING;**

25 **(II) FAMILY THERAPY;**

26 **(III) GROUP THERAPY;**

27 **(IV) INDIVIDUAL THERAPY;**

28 **(V) SERVICES RELATED TO PREVENTION, PROMOTION,**
29 **EDUCATION, OR OUTREACH; AND**

1 **(VI) ANY OTHER SERVICES DETERMINED NECESSARY BY THE**
2 **DEPARTMENT BASED ON INPUT RECEIVED FROM STAKEHOLDERS IN ACCORDANCE**
3 **WITH SUBSECTION (B) OF THIS SECTION.**

4 **(B) TO DETERMINE THE LIMITED BEHAVIORAL HEALTH SERVICES TO BE**
5 **PROVIDED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL**
6 **SEEK INPUT FROM STAKEHOLDERS WHO HAVE EXPERIENCE WITH BEHAVIORAL**
7 **HEALTH ISSUES, INCLUDING:**

8 **(1) INDIVIDUALS UNDER THE AGE OF 18 YEARS;**

9 **(2) PARENTS; AND**

10 **(3) HEALTH CARE PROVIDERS.**

11 **(C) ON OR BEFORE JANUARY 1 EACH YEAR, THE DEPARTMENT SHALL**
12 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**
13 **STATE GOVERNMENT ARTICLE, ON THE LIMITED BEHAVIORAL HEALTH SERVICES**
14 **PROVIDED UNDER THIS SECTION, INCLUDING THE DEMOGRAPHICS OF THE**
15 **INDIVIDUALS RECEIVING THE SERVICES.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2024.