

SENATE BILL 903

J1, O2

7lr1218

By: **Senator Ferguson**

Introduced and read first time: February 3, 2017

Assigned to: Finance and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Health and Aging Programs – Establishment and Funding Requirements**

3 FOR the purpose of establishing the Administrative Care Coordination Unit (ACCU)
4 Program and the Public Health Emergency Preparedness and Response Program in
5 the Department of Health and Mental Hygiene; providing for the purposes of the
6 Programs; requiring the Department of Health and Mental Hygiene to develop and
7 use certain formulas to allocate funding under the Programs; requiring the
8 Department of Aging to develop and use a certain formula to allocate certain funding
9 under certain programs; establishing a mandated minimum appropriation to
10 increase funding for certain programs over certain established funding levels;
11 defining certain terms; and generally relating to funding requirements for health
12 and aging programs.

13 BY adding to

14 Article – Health – General
15 Section 15–149; and 20–1801 through 20–1803 to be under the new subtitle “Subtitle
16 18. Public Health Emergency Preparedness and Response Program”
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2016 Supplement)

19 BY adding to

20 Article – Human Services
21 Section 10–1101 through 10–1103 to be under the new subtitle “Subtitle 11. Program
22 Funding Requirements”
23 Annotated Code of Maryland
24 (2007 Volume and 2016 Supplement)

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

27 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15-149.

2 (A) THERE IS AN ADMINISTRATIVE CARE COORDINATION UNIT (ACCU)
3 PROGRAM IN THE DEPARTMENT.

4 (B) THE PURPOSE OF THE ACCU PROGRAM IS TO PROVIDE FUNDING TO
5 LOCAL HEALTH DEPARTMENTS TO PROVIDE OUTREACH, EDUCATION, AND CARE
6 COORDINATION SERVICES TO PROGRAM RECIPIENTS AND TO UNINSURED AND
7 UNDERINSURED INDIVIDUALS IN THE STATE.

8 (C) THE DEPARTMENT SHALL DEVELOP AND USE A FORMULA TO ALLOCATE
9 FUNDING UNDER THE ACCU PROGRAM AMONG LOCAL HEALTH DEPARTMENTS IN
10 THE STATE THAT TAKES INTO ACCOUNT THE HEALTH RISK FACTORS WITHIN EACH
11 JURISDICTION, INCLUDING:

12 (1) THE NUMBER OF VISITS TO EMERGENCY DEPARTMENTS FOR
13 DRUG AND ALCOHOL ABUSE, ASTHMA, AND DIABETES BY RESIDENTS;

14 (2) THE HOSPITAL READMISSION RATE; AND

15 (3) THE NUMBER AND VARIETY OF HEALTH CARE PROVIDERS AND
16 PAYORS AMONG WHICH CARE MUST BE COORDINATED.

17 SUBTITLE 18. PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE
18 PROGRAM.

19 20-1801.

20 THERE IS A PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE
21 PROGRAM IN THE DEPARTMENT.

22 20-1802.

23 THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDING TO LOCAL
24 JURISDICTIONS IN THE STATE TO SUPPORT PREPARATIONS FOR PUBLIC HEALTH
25 EMERGENCIES.

26 20-1803.

27 THE DEPARTMENT SHALL DEVELOP AND USE A FORMULA TO ALLOCATE
28 FUNDING UNDER THE PROGRAM AMONG LOCAL JURISDICTIONS IN THE STATE THAT

TAKES INTO ACCOUNT SPECIFIC CHARACTERISTICS OF EACH JURISDICTION THAT
HAVE AN IMPACT ON PUBLIC HEALTH EMERGENCY PREPAREDNESS, INCLUDING:

(1) THE NUMBER OF TOURISTS WHO VISIT THE JURISDICTION;

(2) THE NUMBER OF COMMUTERS WHO RESIDE OUTSIDE THE
JURISDICTION AND TRAVEL INTO THE JURISDICTION FOR WORK;

(3) THE NUMBER OF RESIDENTS IN THE JURISDICTION WHO ARE
ESPECIALLY VULNERABLE IN A PUBLIC HEALTH EMERGENCY, INCLUDING
RESIDENTS WHO ARE LIVING IN POVERTY, CHILDREN, AND SENIOR CITIZENS; AND

(4) THE NUMBER OF HOSPITALS LOCATED IN THE JURISDICTION.

Article – Human Services

SUBTITLE 11. PROGRAM FUNDING REQUIREMENTS.

10–1101.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) “OMBUDSMAN PROGRAM” MEANS THE LONG-TERM CARE
OMBUDSMAN PROGRAM ESTABLISHED UNDER SUBTITLE 9 OF THIS TITLE.

(C) “PUBLIC GUARDIANSHIP PROGRAM” MEANS THE GUARDIANSHIP
PROGRAM ADMINISTERED BY THE DEPARTMENT TO SERVE INDIVIDUALS AT LEAST
65 YEARS OLD WHO HAVE BEEN DEEMED BY A COURT TO LACK THE CAPACITY TO
MAKE OR COMMUNICATE RESPONSIBLE DECISIONS CONCERNING THEIR DAILY
LIVING NEEDS.

10–1102.

THE DEPARTMENT SHALL DEVELOP AND USE A FORMULA TO ALLOCATE
FUNDING UNDER THE OMBUDSMAN PROGRAM AND THE PUBLIC GUARDIANSHIP
PROGRAM AMONG LOCAL JURISDICTIONS IN THE STATE THAT TAKES INTO
ACCOUNT THE SPECIFIC NEEDS OF THE SENIOR CITIZEN POPULATION IN EACH
JURISDICTION, INCLUDING THE NUMBER OF SENIOR CITIZENS LIVING IN POVERTY
WHO ARE MINORITIES.

10–1103.

1 **THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2019 SHALL**
2 **INCLUDE FOR PROGRAM D26A07.03 COMMUNITY SERVICES A GENERAL FUND**
3 **APPROPRIATION OF \$1,000,000 OVER THE GENERAL FUND APPROPRIATION**
4 **PROVIDED IN THE LEGISLATIVE APPROPRIATION IN FISCAL YEAR 2018 TO INCREASE**
5 **FUNDING FOR THE OMBUDSMAN PROGRAM AND THE PUBLIC GUARDIANSHIP**
6 **PROGRAM OVER THE FUNDING LEVELS ESTABLISHED FOR THOSE PROGRAMS FOR**
7 **FISCAL YEAR 2018.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2017.