

# HOUSE BILL 440

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By: Delegates Kaufman, Acevero, Cardin, Lewis, Lopez, Ruff, Wims, and Woorman

Introduced and read first time: January 22, 2026

Assigned to: Health

A BILL ENTITLED

## 1 AN ACT concerning

## **Maryland Medical Assistance Program – Individuals With Intellectual and Developmental Disabilities – Provider Reimbursement**

4 FOR the purpose of requiring the Maryland Department of Health to establish an enhanced  
5 reimbursement structure for Maryland Medicaid Assistance Program providers that  
6 deliver medical services to individuals with intellectual and developmental  
7 disabilities; and generally relating to the Maryland Medical Assistance Program  
8 reimbursement for services to individuals with intellectual and developmental  
9 disabilities.

10 BY adding to

Article – Health – General

## Section 15–114.2

## Annotated Code of Maryland

(2023 Replacement Volume and 2025 Supplement)

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

**Article – Health – General**

18 15-114.2.

(A) THE DEPARTMENT SHALL ESTABLISH AN ENHANCED REIMBURSEMENT STRUCTURE FOR PROGRAM PROVIDERS THAT DELIVER MEDICAL SERVICES TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

(B) THE ENHANCED REIMBURSEMENT STRUCTURE ESTABLISHED UNDER  
SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:

**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



1                   **(1) AUTHORITY FOR THE DEPARTMENT TO SET REIMBURSEMENT**  
2                   **RATES ABOVE STANDARD PROGRAM RATES FOR QUALIFYING SERVICES;**

3                   **(2) AUTHORITY FOR THE DEPARTMENT TO MAKE RECURRING AND**  
4                   **SUSTAINABLE ADJUSTMENTS TO THE RATES TO SUPPORT PROVIDER ACCESS,**  
5                   **SERVICE CAPACITY, AND CLINICAL QUALITY FOR INDIVIDUALS WITH INTELLECTUAL**  
6                   **AND DEVELOPMENTAL DISABILITIES; AND**

7                   **(3) PROVISIONS THAT PRIORITIZE RATE INCREASES FOR SERVICES**  
8                   **THAT REQUIRE ADDITIONAL TIME, COMMUNICATION SUPPORTS, OR SPECIALIZED**  
9                   **CLINICAL TRAINING.**

10                  **(C) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO**  
11                  **IMPLEMENT AND ADMINISTER THE ENHANCED REIMBURSEMENT STRUCTURE,**  
12                  **INCLUDING PROVIDER ELIGIBILITY CRITERIA AND RATE SCHEDULES.**

13                  SECTION 2. AND BE IT FURTHER ENACTED, That:

14                  (a) This Act is contingent on the availability of federal funds through the federal  
15                  Health Equity for Adults with Disabilities (HEADs UP) Act or any other federal law or  
16                  funding stream supporting health care equity for individuals with intellectual or  
17                  developmental disabilities.

18                  (b) The Maryland Department of Health shall consult with the Office of the  
19                  Attorney General to determine whether federal funds to implement this section have been  
20                  made available through the federal Health Equity for Adults with Disabilities Act or any  
21                  other federal law or funding stream described under subsection (a) of this section.

22                  (c) Within 5 days after making the determination that federal funds are available  
23                  to implement this Act, the Maryland Department of Health shall notify the Department of  
24                  Legislative Services.

25                  (d) If notice of the availability of federal funds is received by the Department of  
26                  Legislative Services on or before December 31, 2036, this Act shall take effect on the date  
27                  the notice is received by the Department of Legislative Services in accordance with  
28                  subsection (c) of this section.

29                  (e) If notice of the availability of federal funds is not received by the Department  
30                  of Legislative Services on or before December 31, 2036, this Act, with no further action  
31                  required by the General Assembly, shall be null and void.

32                  SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this  
33                  Act, this Act shall take effect October 1, 2026.