

# 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

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Individuals With Intellectual and**  
3 **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  
11 Article – Health – General  
12 Section 15–114.2  
13 Annotated Code of Maryland  
14 (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:

17 **Article – Health – General**

18 **15–114.2.**

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

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

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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.