

Expedited Bill No. 43-21  
Concerning: Health – Advisory Board for  
Montgomery Cares Program -  
Amendments  
Revised: 10-13-21 Draft No. 3  
Introduced: November 9, 2021  
Enacted: December 7, 2021  
Executive: December 16, 2021  
Effective: December 16, 2021  
Sunset Date: None  
Ch. 35, Laws of Mont. Co. 2021

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Health and Human Services Committee

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**AN EXPEDITED ACT** to:

- (1) continue the operation of the Advisory Board for the Montgomery Cares Program;
- (2) repeal the automatic termination date for the Advisory Board for the Montgomery Cares Program;
- (3) modify the mission and duties of the Board to include underinsured County residents;
- (4) define low-income for the purposes of the Board's duties;
- (5) modify the composition of the Board's members;
- (6) require the Board to elect a vice chair; and
- (7) generally amend the law governing the Advisory Board for Montgomery Cares.

By amending

Montgomery County Code  
Chapter 24, Health and Sanitation  
Sections 24-47, 24-49, 24-50, 24-51, 24-52, and 24-53

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1.       Sections 24-47, 24-49, 24-50, 24-51, 24-52, and 24-53 are**  
 2 **amended as follows:**

3 **24-47. Definitions.**

4           In this article the following words have the meanings indicated[;]:

5           Area median income means the median household income for the Washington  
 6 -Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area as estimated by  
 7 the U.S. Department of Housing and Urban Development, adjusted by  
 8 household size, or its successor.

9           *Board* means the Advisory Board for the Montgomery Cares Program.

10          *Department* means the Department of Health and Human Services.

11          Low-income means 80% or less of area median income.

12          *Program* means the Department's health care delivery system that provides  
 13 primary medical care and other essential health care and related services,  
 14 through public/private partnerships, to low-income, [and] uninsured, and  
 15 underinsured residents of the County.

16 **24-49. Mission.**

17          The Board's mission is to advise and recommend policies that ensure access to  
 18 high quality, efficient health care and related services for low-income, [and]  
 19 uninsured, and underinsured County residents.

20 **24-50. Members; appointments; terms.**

21          (a) *Total members.* The Board has [17] 19 members.

22          (b) *Ex officio members.* Subject to confirmation by the County Council, the  
 23 County Executive should appoint the following individuals to serve as  
 24 ex officio members of the Board:

25               (1) The County Health Officer or Officer's designee; and

26               (2) The Chief of the Department's Behavioral Health and Crisis  
 27 Service or the Chief's designee.

28 (c) *Other members.* Subject to confirmation by the County Council, the  
29 County Executive should appoint the following individuals to serve on  
30 the Board:

31 (1) 2 representatives of community health care providers that  
32 participate in the Program;

33 (2) 1 representative of hospitals that participate in the Program;

34 (3) The chair of the Board of Directors of the entity that contracts  
35 with the Department to administer the distribution of funds for  
36 the delivery of Program services or the chair's designee;

37 (4) [3] 5 members of the public;

38 (5) [3] 4 individuals who have knowledge of and experience with  
39 issues relating to health care for uninsured individuals such as  
40 primary care, specialty care, dental care, behavioral health care,  
41 or fiscal matters relating to any of these types of care;

42 (6) 1 representative of the Commission on Health;

43 (7) 1 representative of the County Medical Society; and

44 (8) 2 current or former recipients of services under the Program [;  
45 and

46 (9) 1 representative from a Managed Care Organization who is  
47 familiar with Medicaid and insurance issues affecting low-  
48 income populations].

49 \* \* \*

50 **24-51. Voting; chair and vice chair; meetings; compensation.**

51 (a) *Voting.* All members of the Board are voting members.

52 (b) *Chair and vice chair.* The members of the Board must elect a chair and  
53 vice chair by majority vote to serve a 1-year term.

54 (c) *Meetings.* The Board must meet at least 10 times each year.

55 (d) *Compensation.* Except as provided in subsection (e), a member must  
56 serve without compensation.

57 (e) *Expenses.* A member may request reimbursement for mileage and  
58 dependent care costs at rates established by the County.

59 **24-52. Duties and staff.**

60 (a) *Duties.* The Board may advise the County Executive, County Council,  
61 and Department on any matter relating to the goal of ensuring a steady  
62 and measurable [growth] improvement in accessibility [in the number]  
63 of low-income, uninsured, and underinsured County residents accessing  
64 high quality health care services, including:

65 (1) Eligibility criteria for participating health care providers;

66 (2) Eligibility criteria for individuals served by the Program;

67 (3) The method for allocating Program funds;

68 (4) The method of distributing funds to participating health care  
69 providers;

70 (5) The Program budget;

71 (6) Growth targets and resources needed to meet those targets;

72 (7) Assistance to eligible individuals to obtain State and federal  
73 health care coverage;

74 (8) Policies and practices to maximize the use of County funds for  
75 direct services to clients;

76 (9) Evaluation of policies and programs to improve access to health  
77 care and related services for low-income, [and] uninsured, and  
78 underinsured County residents;

79 (10) Strategic planning in support of the Health Care for the  
80 Uninsured programs administered by the Department, including:

81 (A) Montgomery Cares;

- 82 (B) Care for Kids;
- 83 (C) Maternity Partnership;
- 84 (D) the Department's Dental Services; and
- 85 (E) Health Care for the Homeless; and
- 86 (11) Health care services provided to low income, [and] uninsured,
- 87 and underinsured County residents, including primary care,
- 88 specialty care, dental care, behavioral health, and ancillary
- 89 services.
- 90 (b) *Report.* The Board must submit an annual report to the County
- 91 Executive, County Council, and Department on its activities, findings,
- 92 and recommendations.
- 93 (c) *Consideration of findings and recommendations.* The County
- 94 Executive, County Council, and Department must give serious
- 95 consideration to the findings and recommendations of the Board.
- 96 (d) *Staff.* The Department must provide appropriate staff for the Board.

97 **24-53. [Termination] Reserved.**

98 [(a) *Date.* The Board terminates on December 31, 2021.]

99 [(b) *Continuance of Board.* By March 31, 2021, the Board must

100 recommend to the County Executive and County Council whether the

101 County should continue the Board or establish an alternative

102 governance structure for the Program.]

103 **Sec. 2. Expedited Effective Date.**

104 The Council declares that this legislation is necessary for the immediate

105 protection of the public interest. This Act takes effect on the date on which it

106 becomes law.

Approved:

  
\_\_\_\_\_  
Gabriel Albornoz, President, County Council  
Date 12/10/2021

Approved:

  
\_\_\_\_\_  
Marc Elrich, County Executive  
Date 12/16/2021

*This is a correct copy of Council action.*

  
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Selena Mendy Singleton, Esq., Clerk of the Council  
Date 12/16/2021