J1 0lr3111 CF SB 959

By: Delegate K. Young

Introduced and read first time: February 7, 2020 Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

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Public Health - Demonstration Program Developmental Disabilities

FOR the purpose of establishing the State Advisory Council on Self-Directed Services; providing for the purposes of the Advisory Council; providing for the composition, officers, and staffing of the Advisory Council; providing for the term of an appointed member of the Advisory Council; prohibiting a certain member from being reappointed to the Advisory Council under certain circumstances; requiring the Governor to appoint a successor in a certain manner and under certain circumstances; requiring the Advisory Council to adopt certain rules; providing that the members present at a meeting are a quorum; requiring the Advisory Council to meet with certain frequencies at the times and places that it determines; requiring the Developmental Disabilities Administration to assist the Advisory Council in notifying certain stakeholders of certain opportunities; prohibiting a member of the Advisory Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Advisory Council to take certain actions regarding certain matters; requiring the Advisory Council to submit a certain report to the Governor and the General Assembly on or before a certain date each year; requiring that certain waiver services include support broker services and an option for a certain family member or legal guardian to provide certain waiver services to a certain individual under certain circumstances; providing that a certain support broker has a fiduciary duty to a certain individual; altering the health care services required to be provided under a certain demonstration program; altering the date by which a certain report is required to be submitted; altering the termination date for certain provisions of law; defining certain terms; specifying the terms of the initial appointed members of the Advisory Council; and generally relating to self-directed services for people with developmental disabilities.

27 BY adding to

28 Article – Health – General

29 Section 7–408

30 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B**)**

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| 1 | (2019 Replacement Volume) | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| 2 3 4 5 6 | BY repealing and reenacting, with amendments, Article – Health – General Section 15–132 Annotated Code of Maryland (2019 Replacement Volume) | | | | | | | |
| 7 8 9 | BY repealing Chapter 446 of the Acts of the General Assembly of 2018 Section 1 and 2 | | | | | | | |
| $egin{array}{c} 10 \ 12 \ 2 \end{array}$ | BY repealing and reenacting, with amendments, Chapter 447 of the Acts of the General Assembly of 2018 Section 1 and 2 | | | | | | | |
| 13 14 | SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows: | | | | | | | |
| 15 | Article - Health - General | | | | | | | |
| 6 | 7–408. | | | | | | | |
| 17 18 | (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED. | | | | | | | |
| 19 20 | (2) "ADVISORY COUNCIL" MEANS THE STATE ADVISORY COUNCIL ON SELF-DIRECTED SERVICES. | | | | | | | |
| 21 22 23 24 | (3) "SELF-DIRECTED SERVICES" MEANS SERVICES THAT AN INDIVIDUAL PLANS AND PURCHASES UNDER THE INDIVIDUAL'S OWN DIRECTION AND CONTROL OR UNDER THE CONTROL OF THE INDIVIDUAL'S DESIGNATED REPRESENTATIVE WHEN PARTICIPATING IN THE FOLLOWING PROGRAMS: | | | | | | | |
| 25 26 | (I) THE FAMILY SUPPORT SERVICES PROGRAM ESTABLISHED UNDER § 7–703 OF THIS TITLE; | | | | | | | |
| 27 28 29 | (II) THE COMMUNITY SUPPORTED LIVING ARRANGEMENTS SERVICES PROGRAM ESTABLISHED UNDER §§ 7–709 THROUGH 7–714 OF THIS TITLE; OR | | | | | | | |
| 30 31 | (III) THE HOME- AND COMMUNITY-BASED SERVICES WAIVER UNDER § 15–132 OF THIS ARTICLE. | | | | | | | |

THERE IS A STATE ADVISORY COUNCIL ON SELF-DIRECTED SERVICES.

- 1 (C) THE PURPOSES OF THE STATE ADVISORY COUNCIL ON 2 SELF-DIRECTED SERVICES ARE TO:
- 3 (1) PROVIDE THE DEPUTY SECRETARY, THE REGIONAL DIRECTORS
- 4 OF THE ADMINISTRATION'S REGIONAL OFFICES, AND OTHER STAKEHOLDERS IN THE
- 5 STATE WITH INFORMATION REGARDING THE NEEDS OF ADULTS WITH
- 6 DEVELOPMENTAL DISABILITIES;
- 7 (2) ADVOCATE FOR POSITIVE SYSTEMS CHANGE RELATED TO THE 8 SERVICES PROVIDED TO ADULTS WITH DEVELOPMENTAL DISABILITIES;
- 9 (3) ADVOCATE FOR A POSITIVE RELATIONSHIP BETWEEN ADULTS
- 10 WITH DEVELOPMENTAL DISABILITIES AND THE ADMINISTRATION AND OTHER
- 11 STATE AND LOCAL ORGANIZATIONS;
- 12 (4) PROVIDE A FORUM FOR INFORMATION SHARING AND SUPPORT
- 13 AMONG ADULTS WITH DEVELOPMENTAL DISABILITIES AND THEIR FAMILIES;
- 14 (5) ADVOCATE FOR BEST PRACTICES IN PROVIDING SERVICES TO
- 15 ADULTS WITH DEVELOPMENTAL DISABILITIES;
- 16 (6) SEEK INPUT FROM INDIVIDUALS WITH DEVELOPMENTAL
- 17 DISABILITIES, ADVOCATES, FAMILY MEMBERS, COMMUNITY PARTNERS, SERVICE
- 18 PROVIDERS, EDUCATORS, AND ADMINISTRATORS ON ISSUES RELATED TO:
- 19 (I) EMPLOYMENT, SERVICES, AND CONTINUING EDUCATION
- 20 FOR ADULTS WITH DEVELOPMENTAL DISABILITIES; AND
- 21 (II) THE INCLUSION OF ADULTS WITH DEVELOPMENTAL
- 22 DISABILITIES IN THE COMMUNITY; AND
- 23 (7) Inform the General Assembly of progress toward these
- 24 GOALS ANNUALLY.
- 25 (D) THE ADVISORY COUNCIL CONSISTS OF:
- 26 (1) One representative of the Developmental Disabilities
- 27 ADMINISTRATION WHO DOES NOT WORK IN A REGIONAL OFFICE, DESIGNATED BY
- 28 THE SECRETARY OF THE ADMINISTRATION;
- 29 (2) ONE REPRESENTATIVE FROM EACH OF THE ADMINISTRATION'S
- 30 FOUR REGIONAL OFFICES, DESIGNATED BY THE REGIONAL DIRECTOR OF EACH

- 1 **OFFICE**;
- 2 (3) ONE REPRESENTATIVE FROM THE DEPARTMENT OF
- 3 DISABILITIES, DESIGNATED BY THE SECRETARY OF DISABILITIES;
- 4 (4) ONE REPRESENTATIVE FROM THE MARYLAND STATE
- 5 DEPARTMENT OF EDUCATION, DESIGNATED BY THE STATE SUPERINTENDENT;
- 6 ONE REPRESENTATIVE FROM THE DIVISION OF REHABILITATIVE
- 7 SERVICES IN THE STATE DEPARTMENT OF EDUCATION, DESIGNATED BY THE
- 8 ASSISTANT STATE SUPERINTENDENT;
- 9 (6) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR FROM
- 10 LISTS OF THREE NOMINEES FOR EACH POSITION PROVIDED BY THE
- 11 SELF-DIRECTED ADVOCACY NETWORK OF MARYLAND, INC.:
- 12 (I) FOUR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES
- 13 WHO USE SELF-DIRECTED SERVICES, INCLUDING ONE INDIVIDUAL FROM EACH
- 14 REGION OF THE ADMINISTRATION'S REGIONAL OFFICES, IF POSSIBLE;
- 15 (II) FOUR FAMILY MEMBERS OF CHILDREN OR ADULTS WITH
- 16 DEVELOPMENTAL DISABILITIES, NOT RELATED TO THE FOUR INDIVIDUALS
- 17 APPOINTED UNDER ITEM (I) OF THIS ITEM, INCLUDING ONE INDIVIDUAL FROM EACH
- 18 REGION OF THE ADMINISTRATION'S REGIONAL OFFICES, IF POSSIBLE;
- 19 (III) TWO INDIVIDUALS WHO PROVIDE SUPPORT BROKER
- 20 SERVICES;
- 21 (IV) TWO REPRESENTATIVES OF COORDINATION OF
- 22 COMMUNITY SERVICES AGENCIES; AND
- 23 (V) TWO DELEGATING OR CASE MANAGEMENT NURSES WHO
- 24 PROVIDE SERVICES TO INDIVIDUALS WHO USE SELF-DIRECTED SERVICES;
- 25 (7) ONE REPRESENTATIVE OF THE MARYLAND DEVELOPMENTAL
- 26 DISABILITY COUNCIL, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE
- 27 COUNCIL;
- 28 (8) ONE REPRESENTATIVE OF DISABILITY RIGHTS MARYLAND,
- 29 DESIGNATED BY THE EXECUTIVE DIRECTOR OF DISABILITY RIGHTS MARYLAND;
- 30 (9) ONE REPRESENTATIVE OF PEOPLE ON THE GO MARYLAND,
- 31 DESIGNATED BY THE PUBLIC POLICY DIRECTOR OF PEOPLE ON THE GO

- 1 MARYLAND;
- 2 (10) ONE REPRESENTATIVE OF THE ARC MARYLAND, DESIGNATED BY
- 3 THE CHIEF EXECUTIVE OFFICER OF THE ARC MARYLAND;
- 4 (11) ONE REPRESENTATIVE OF THE MARYLAND STATEWIDE
- 5 INDEPENDENT LIVING COUNCIL, DESIGNATED BY THE CHAIR OF THE COUNCIL;
- 6 AND
- 7 (12) ONE REPRESENTATIVE FROM MARYLAND WORKS, DESIGNATED
- 8 BY THE PRESIDENT OF MARYLAND WORKS.
- 9 (E) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.
- 10 (2) THE TERMS OF APPOINTED MEMBERS ARE STAGGERED AS
- 11 REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE ADVISORY COUNCIL ON
- 12 **JULY 1, 2020.**
- 13 (3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO
- 14 SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- 15 (4) AN APPOINTED MEMBER WHO IS DESIGNATED AFTER A TERM HAS
- 16 BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS
- 17 APPOINTED AND QUALIFIES.
- 18 (5) AN APPOINTED MEMBER WHO SERVES TWO CONSECUTIVE FULL
- 19 TERMS MAY NOT BE REAPPOINTED WITHIN 4 YEARS AFTER THE END OF THE SECOND
- 20 **TERM.**

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- 21 (6) (I) IF A VACANCY OCCURS, THE GOVERNOR PROMPTLY SHALL
- 22 APPOINT A SUCCESSOR.
- 23 (II) IF THE VACATING MEMBER WAS NOMINATED FROM A LIST
- 24 OF NOMINEES PROVIDED BY AN ORGANIZATION, THE GOVERNOR SHALL APPOINT
- 25 THE SUCCESSOR FROM A LIST OF NOMINEES SUBMITTED BY THE ORGANIZATION.
- 26 (7) THE ADVISORY COUNCIL SHALL ADOPT RULES FOR THE
- 27 REMOVAL OF ITS MEMBERS.
- 28 (F) (1) THE ADVISORY COUNCIL SHALL ELECT A CHAIR AND OTHER
- 29 OFFICERS FROM AMONG ITS MEMBERS.
 - (2) THE MEMBERS PRESENT AT A MEETING ARE A QUORUM.

- 1 (G) THE ADVISORY COUNCIL SHALL MEET AT LEAST QUARTERLY AT THE 2 TIMES AND PLACES THAT IT DETERMINES.
- 3 (H) THE ADMINISTRATION SHALL ASSIST THE ADVISORY COUNCIL IN
- 4 NOTIFYING STAKEHOLDERS, INCLUDING CONSUMERS OF ADMINISTRATION
- 5 SERVICES, THEIR FAMILY MEMBERS, AND HEALTH CARE PROVIDERS, OF MEETINGS
- 6 AND OTHER OPPORTUNITIES TO PROVIDE INPUT TO THE ADVISORY COUNCIL.
- 7 (I) A MEMBER OF THE ADVISORY COUNCIL:
- 8 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE 9 ADVISORY COUNCIL; BUT
- 10 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.
- 12 (J) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE ADVISORY
- 13 COUNCIL, IN CONSULTATION WITH THE SELF-DIRECTED ADVOCACY NETWORK OF
- 14 MARYLAND, INC. AND ANY OTHER ADVOCACY ORGANIZATION WITH A MEMBER ON
- 15 THE ADVISORY COUNCIL.
- 16 (K) THE ADVISORY COUNCIL SHALL:
- 17 (1) EXAMINE POLICIES, PROCEDURES, AND PROPOSALS RELATED TO 18 SELF-DIRECTED SERVICES;
- 19 (2) ANNUALLY CONDUCT A STATE SURVEY OF THE SELF-DIRECTED 20 SERVICES PROCESS AS IMPLEMENTED BY THE ADMINISTRATION;
- 21 (3) MAKE RECOMMENDATIONS TO THE DEPUTY SECRETARY
- 22 REGARDING HOW TO IMPROVE THE SELF-DIRECTED SERVICES PROCESS;
- 23 (4) PROVIDE A FORUM FOR INPUT FROM THE RESIDENTS OF THE
- 24 STATE RELATED TO SELF-DIRECTED SERVICES;
- 25 (5) REVIEW AND MAKE RECOMMENDATIONS REGARDING WHETHER
- 26 INDIVIDUALS WHO USE SELF-DIRECTED SERVICES AND QUALIFY TO RECEIVE A
- 27 CERTAIN TYPE OF CARE EXCLUDES THE INDIVIDUAL FROM RECEIVING OTHER TYPES
- 28 OF CARE;
- 29 (6) ADVISE THE GENERAL ASSEMBLY ON ISSUES RELATING TO
- 30 SELF-DIRECTED SERVICES, INCLUDING:

- 1 (I) COMMUNICATIONS BETWEEN THE ADMINISTRATION AND 2 SELF-DIRECTED SERVICES PARTICIPANTS AND THEIR FAMILIES;
- 3 (II) THE ADMINISTRATION'S EFFORTS TO WORK IN
- 4 PARTNERSHIP WITH SELF-DIRECTED SERVICES PARTICIPANTS AND THEIR
- 5 FAMILIES TO IMPROVE THE SELF-DIRECTED SERVICES PROCESS; AND
- 6 (III) ANY LEGISLATION THAT SHOULD BE ENACTED TO
- 7 IMPLEMENT THE RECOMMENDATIONS MADE BY THE ADVISORY COUNCIL UNDER
- 8 ITEM (3) OF THIS SUBSECTION;
- 9 (7) REVIEW AND MAKE RECOMMENDATIONS REGARDING THE
- 10 FOLLOWING ISSUES RELATED TO THE HOME- AND COMMUNITY-BASED SERVICES
- 11 WAIVER UNDER § 15–132 OF THIS ARTICLE:
- 12 (I) REQUIRING A SUPPORT BROKER TO CARRY OUT CERTAIN
- 13 DUTIES AND RESPONSIBILITIES WHEN PROVIDING SERVICES TO A WAIVER
- 14 PARTICIPANT, INCLUDING REQUIRING SUPPORT BROKERS TO TAKE TRAINING AND
- 15 TO COORDINATE WITH COORDINATORS OF COMMUNITY SERVICE;
- 16 (II) REQUIRING THAT THE COSTS TO A PARTICIPANT IN THE
- 17 WAIVER PROGRAM FOR SELF-DIRECTION BE BASED ON THE COSTS THAT THE
- 18 PARTICIPANT WOULD PAY IF THE PARTICIPANT RECEIVED SERVICES FROM A
- 19 TRADITIONAL PROVIDER;
- 20 (III) TREATING TRANSPORTATION SERVICES PROVIDED UNDER
- 21 THE WAIVER AS A STAND-ALONE SERVICE RATHER THAN BEING TIED TO A SPECIFIC
- 22 SUPPORT SERVICE;
- 23 (IV) REMOVING LIMITS ON THE NUMBER OF PERSONAL
- 24 SUPPORT HOURS TO WHICH A WAIVER PARTICIPANT IS ENTITLED PER WEEK;
- 25 (V) PROVIDING A WAIVER PARTICIPANT WITH ACCESS TO
- 26 COMMUNITY DEVELOPMENT SERVICES;
- 27 (VI) REQUIRING THE INDIVIDUAL SERVICE BUDGETS
- 28 ALLOCATED TO INDIVIDUALS WHO USE SELF-DIRECTED SERVICES TO BE SUBJECT
- 29 TO A COST-OF-LIVING ALLOWANCE;
- 30 (VII) AUTHORIZING ANYONE WITH A DISABILITY TO USE
- 31 SELF-DIRECTED SERVICES, REGARDLESS OF THE DISABILITY;

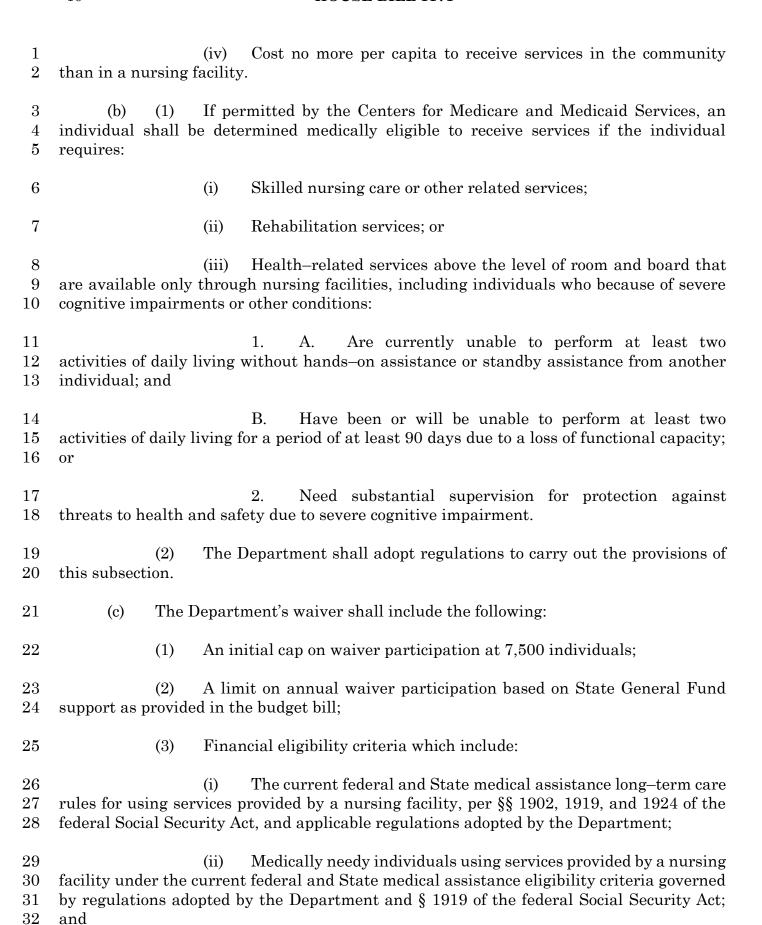
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(i)

| 1 2 3 4 | (VIII) REMOVING ANY ADDITIONAL DOCUMENTATION REQUIREMENTS FOR A PARTICIPANT TO RECEIVE SERVICES FROM A VENDOR THAT IS ALREADY LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED BY THE STATE TO PROVIDE THE SERVICES; AND |
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| 5 6 | (IX) INCLUDING FISCAL MANAGEMENT SERVICES AS A WAIVER SERVICE; AND |
| 7 8 | (8) PERFORM ANY OTHER DUTIES THE ADVISORY COUNCIL CONSIDERS APPROPRIATE. |
| 9 10 11 | (L) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE ADVISORY COUNCIL SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY. |
| 12 | (2) THE ADVISORY COUNCIL'S SHALL INCLUDE: |
| 13 14 15 | (I) Information on how well the self-directed services process is meeting the needs of the self-directed services participants; |
| 16 17 | (II) THE RESULTS OF THE SURVEY CONDUCTED UNDER SUBSECTION (K)(2) OF THIS SECTION; AND |
| 18 19 | (III) RECOMMENDATIONS FOR THE IMPROVEMENT OF SELF-DIRECTED SERVICES. |
| 20 | 15–132. |
| 21 | (a) (1) In this section the following terms have the meanings indicated. |
| 22 23 | (2) "Assisted living program" has the meaning stated in § 19–1801 of this article. |
| 24 25 | (3) "Assisted living services" means services provided by an assisted living program as defined in regulations adopted by the Department. |
| 26 27 28 | (4) "Case management services" means services that assist waiver eligible individuals in gaining access to needed waiver services and other needed medical, social, housing, and other supportive services. |
| 29 | (5) "Health related care and services" includes: |

24-hour supervision and observation by a licensed care provider;

| 1 | | (ii) | Medication administration; |
|----------------------|-------------------------|---------------------|---|
| 2 | | (iii) | Inhalation therapy; |
| 3 | | (iv) | Bladder and catheter management; |
| 4 | | (v) | Assistance with suctioning; or |
| 5 | | (vi) | Assistance with treatment of skin disorders and dressings. |
| 6 7 | (6) of this article and | | te health care services" means those services defined in § 19–401 C.F.R. 440.70. |
| 8 9 10 11 | | epartm vho, bu | ically and functionally impaired" means an individual who is ent to require services provided by a nursing facility as defined in at for the receipt of these services, would require admission to a days. |
| 12 13 14 15 | | es, reha ooard r | sing facility" means a facility that provides skilled nursing care abilitation services, and health related care and services above the needed on a regular basis in accordance with § 1919 of the federal |
| 16 17 | (9) ASSIST AN INDIVI | | PORT BROKER" MEANS A PERSON PROVIDING SERVICES TO WHO PARTICIPATES IN A WAIVER UNDER THIS SECTION WITH: |
| 18 19 | THE INDIVIDUAL | (I) ; AND | DECIDING WHAT SERVICES AND SUPPORTS ARE BEST FOR |
| 20 21 | SUPPORTS. | (II) | ACCESSING AND MANAGING THE CHOSEN SERVICES AND |
| 22 23 24 | under § 1915(c) of | the fe | "Waiver" means a home— and community—based services waiver ederal Social Security Act, submitted by the Department to the Medicaid Services. |
| 25 26 | [(10)] waiver that: | (11) | "Waiver services" means the services covered under an approved |
| 27 28 | alternative to adm | (i) ission | Are needed and chosen by an eligible waiver participant as an to or continued stay in a nursing facility; |
| 29 | | (ii) | Are part of a plan of service approved by the program; |
| 30 31 | community; and | (iii) | Assure the waiver participant's health and safety in the |



| $\frac{1}{2}$ | applicable paymen | (iii) t rate | Categorically needy individuals with income up to 300% of the for supplemental security income; |
|----------------------------------|---|-----------------------|---|
| 3 | (4) | Waive | er services that include at least the following: |
| 4 | | (i) | Assisted living services; |
| 5 | | (ii) | Case management services; |
| 6 | | (iii) | Family training; |
| 7 | | (iv) | Dietitian and nutritionist services; |
| 8 | | (v) | Medical day care services; [and] |
| 9 | | (vi) | Senior center plus services; AND |
| 10 | | (VII) | SUPPORT BROKER SERVICES; |
| 11 12 13 | (5) under this section in the next fiscal y | as soor | opportunity to provide eligible individuals with waiver services as they are available without waiting for placement slots to open |
| 14 | (6) | An in | crease in participant satisfaction; |
| 15 | (7) | The fo | orestalling of functional decline; |
| 16 17 | (8) services; [and] | A rec | duction in Medicaid expenditures by reducing utilization of |
| 18 19 20 | (9) Supreme Court cost–effective comm | in | nhancement of compliance with the decision of the United States the case of Olmstead v. L.C. (1999) by offering —based services in the most appropriate setting; AND |
| 21 22 23 24 25 26 | STEP-PARENT, A LEGAL GUARDIAN SECTION TO PRO WHETHER THE FA | FOST NOFA OVIDE AMILY | OPTION FOR A FAMILY MEMBER, INCLUDING A ER PARENT, OR AN ADOPTIVE PARENT, OR A SIBLING, OR N INDIVIDUAL WHO PARTICIPATES IN A WAIVER UNDER THIS WAIVER SERVICES FOR THE INDIVIDUAL, REGARDLESS OF MEMBER, LEGAL GUARDIAN, OR ANOTHER FAMILY MEMBER AS A FIDUCIARY DUTY TO THE INDIVIDUAL, IF: |
| 27 28 29 | CARE DECISIONS TO PROVIDE THE | | THE INDIVIDUAL OR AN INDIVIDUAL AUTHORIZED TO MAKE HALF OF THE INDIVIDUAL CHOOSES THE PARENT OR SIBLINGICES; AND |

| 1 2 | INDIVIDUAI | | (II) | ТНЕ | OPTION | IS IN | THE | BEST | INTERES | STS | OF | THE |
|----------------|--|----------|---------------|------------|---------------------------|----------|-----------|-----------|-------------|--------|-------|--------|
| 3 4 5 | (D) AN INDIVID FIDUCIARY | UAL | WHO | PARTIC | | | | | | | | |
| 6 7 | [(d)] (any services | | | | may not be h the Prog | | | - | terfere wit | th, or | inte | rrupt |
| 8 9 10 | [(e)] (this section the Departm | desire | s to re | eceive w | | ices an | | | | | | |
| 11 12 13 | [(f)] (c) industry and Aging, shall | d advo | cates f | or waiv | | tes, an | d with t | - | | | | |
| 14 | | | | Cha | pter 446 | of the | Acts of | 2018 | | | | |
| 15 16 | SECT That: | ION 1 | BE I | T ENA | CTED BY | THE G | ENERA | L ASSE | MBLY OF | ' MA | RYL | AND, |
| 17 18 | (a) supported by | | - | _ | artment of ls to cover | | | | | ratio | n pro | gram |
| 19 | | (1)] | provi | ded to i | ndividuals | who[: | | | | | | |
| 20 | | | (i)] | are at | least 21 y | ears old | l and ur | ider the | age of 65 y | ears | [; | |
| 21 22 | Program ope | erated | (ii) under | | nrolled in iryland Me | | | | | th D | isabi | lities |
| 23 24 | Health; and | | (iii) | have | a qualifyir | ng cond | ition as | determ | ined by th | ne Se | creta | ry of |
| 25 | | (2) | not co | overed | under the l | Maryla | nd Medi | cal Assi | stance Pro | gran | ı]. | |
| 26 | (b) | The I |)epart | ment m | ay establis | sh: | | | | | | |
| 27 | | (1) | eligib | oility cri | iteria for e | nrollme | ent in th | e demor | stration p | rogra | am; | |
| 28 | | (2) | criter | ria for s | ervices to l | oe cove | red und | er the de | emonstrati | on p | rogra | m; |
| 29 30 | program; an | (3) d | a car | on th | e number | of ind | ividuals | s enrolle | ed in the | dem | onstr | ation |

| 1 | (4) criteria for administration of the demonstration program. |
|----------------------|--|
| 2 3 4 5 | (c) (1) On or before December 1, [2020] 2022 , the Department shall submit to the Governor and, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee a report on the demonstration program established under this section. |
| 6 7 8 | (2) The report required under paragraph (1) of this subsection shall include the findings and recommendations of the Department relating to the demonstration program, including: |
| 9 10 | (i) the number and characteristics of individuals enrolled in the demonstration program; |
| 11 12 | (ii) the health care services covered under the demonstration program; |
| 13 14 | $\mbox{(iii)} \mbox{the impact of the demonstration program on individuals enrolled} \\ \mbox{in the demonstration program; and} \\$ |
| 15 | (iv) whether to extend the demonstration program. |
| 16 17 18 19 | SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2018. It shall remain effective for a period of [3] 5 years and, at the end of May 31, [2021] 2023 , this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. |
| 20 | Chapter 447 of the Acts of 2018 |
| 21 22 | SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That: |
| 23 24 | (a) The Maryland Department of Health shall establish a demonstration program supported by State general funds to cover health care services that are [: |
| 25 | (1)] provided to individuals who[: |
| 26 | (i)] are at least 21 years old and under the age of 65 years[; |
| 27 28 | (ii) are enrolled in the Employed Individuals with Disabilities Program operated under the Maryland Medical Assistance Program; and |
| 29 30 | (iii) have a qualifying condition as determined by the Secretary of Health; and |

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| 1 | | (2) | not covered under the Maryland Medical Assistance Program]. | | | | | | |
|----------------------|--|-----------|---|--|--|--|--|--|--|
| 2 | (b) | The I | he Department may establish: | | | | | | |
| 3 | | (1) | eligibility criteria for enrollment in the demonstration program; | | | | | | |
| 4 | | (2) | criteria for services to be covered under the demonstration program; | | | | | | |
| 5 6 | program; an | (3) id | a cap on the number of individuals enrolled in the demonstration | | | | | | |
| 7 | | (4) | criteria for administration of the demonstration program. | | | | | | |
| 8 9 10 11 | Senate Fina | nce Co | On or before December 1, [2020] 2022 , the Department shall submit to in accordance with § 2–1246 of the State Government Article, to the mmittee and the House Health and Government Operations Committee constration program established under this section. | | | | | | |
| 12 13 14 | the findings | | The report required under paragraph (1) of this subsection shall include recommendations of the Department relating to the demonstration: | | | | | | |
| 15 16 | demonstrati | on pro | (i) the number and characteristics of individuals enrolled in the gram; | | | | | | |
| 17 18 | program; | | (ii) the health care services covered under the demonstration | | | | | | |
| 19 20 | in the demo | nstrati | (iii) the impact of the demonstration program on individuals enrolled on program; and | | | | | | |
| 21 | | | (iv) whether to extend the demonstration program. | | | | | | |
| 22 23 24 25 | 1, 2018. It sl 2023 , this A | nall rei | AND BE IT FURTHER ENACTED, That this Act shall take effect June nain effective for a period of [3] 5 years and, at the end of May 31, [2021] no further action required by the General Assembly, shall be abrogated ree and effect. | | | | | | |
| 26 27 28 | | | AND BE IT FURTHER ENACTED, That the terms of the initial s of the State Advisory Council on Self–Directed Services shall expire as | | | | | | |
| 29 | | (1) | five members in 2021; | | | | | | |
| 30 | | (2) | five members in 2022; and | | | | | | |
| 31 | | (3) | four members in 2023. | | | | | | |

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 2 $\,$ 1, 2020.