

HOUSE BILL 36

P1, O2

(PRE-FILED)

5lr0038
CF SB 212

By: **Chair, Health and Government Operations Committee (By Request – Departmental – Aging)**

Requested: September 28, 2024

Introduced and read first time: January 8, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 4, 2025

CHAPTER _____

1 AN ACT concerning

2 **Department of Aging – Aging Services – Program Repeal and Consolidation**

3 FOR the purpose of repealing provisions of law requiring the Secretary of Aging to develop
4 certain congregate housing and assisted living programs for seniors; repealing the
5 Interagency Committee on Aging Services and transferring certain responsibilities
6 of the Committee to the Department of Aging; authorizing the Department to
7 perform certain duties to implement and coordinate services to older adults and to
8 collaborate with certain entities that establish local interagency committees;
9 requiring the Department to establish, coordinate, and supervise a program to
10 provide single points of entry within each planning and service area; authorizing
11 area agencies on aging to make agreements with certain entities and provide staff at
12 the single points of entry for certain purposes; requiring the Department to develop,
13 coordinate, and administer with area agencies on aging or other persons a certain
14 system to provide certain services to certain older adults; requiring the Department
15 to engage with key stakeholders to conduct certain transition planning and to
16 provide certain services to certain older adults; and generally relating to the
17 Department of Aging and aging services.

18 BY repealing

19 Article – Human Services

20 Section 10–209 through 10–211, 10–301 through 10–305, and 10–310

21 Annotated Code of Maryland

22 (2019 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–101; and 10–306 through 10–309 to be under the amended subtitle
“Subtitle 3. Aging Services”
Annotated Code of Maryland
(2019 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 10–209 through 10–211, 10–301 through 10–305, and 10–310 of
Article – Human Services of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Human Services

10–101.

(a) In this title the following words have the meanings indicated.

(b) “Area agency ON AGING” means the local agency that the Department
designates in accordance with the Older Americans Act of 1965 to administer the delivery
of a comprehensive and coordinated plan of social and other services and activities for
[seniors] **OLDER ADULTS** in a planning and service area.

(c) “Community for a Lifetime” means a community certified under § 10–804 of
this title.

(d) [“Congregate housing services” means services provided in an apartment
building that promote independent living for an eligible individual.

(e)] “Department” means the Department of Aging.

[(f) “Interagency Committee” means the unit established in § 10–301 of this title
to oversee the coordination and consolidation of services for seniors in the State.

(g)] **(E)** “Planning and service area” means an area of the State that the
Department designates in accordance with the Older Americans Act of 1965 for the
planning and administration of social, health, and other services for [seniors] **OLDER
ADULTS**.

[(h)] **(F)** “Secretary” means the Secretary of Aging.

Subtitle 3. [Interagency Committee on] Aging Services.

1 [10-306.] **10-301.**

2 (a) [(1) The Interagency Committee shall develop and update annually a plan
3 for providing coordinated health services, social services, transportation, housing, and
4 employment services to seniors in the State consistent with the priorities that the
5 Department establishes.

6 (2) If the members of the Interagency Committee cannot agree on a plan,
7 the chair shall refer the matter to the Governor for resolution.

8 (b)] The [Interagency Committee shall establish interagency] **DEPARTMENT**
9 **MAY ENTER INTO** agreements and **CONTRACTS**, adopt regulations, **AND ADOPT**
10 **POLICIES AND PROCEDURES** to[:

11 (1)] implement and coordinate services to [seniors consistent with the plan
12 developed under subsection (a) of this section;

13 (2) maximize the sharing of resources among units of State government for
14 services to seniors;

15 (3) consolidate planning and evaluation efforts at the State and local levels;
16 and

17 (4) coordinate and expedite the delivery of services to seniors by providing
18 technical assistance to local agencies] **OLDER ADULTS UNDER THIS TITLE.**

19 [(c) (1)] **(B)** The [Interagency Committee shall assist] **DEPARTMENT MAY**
20 **COLLABORATE WITH** county agencies [to], **AREA AGENCIES ON AGING, NONPROFIT**
21 **ORGANIZATIONS, OR OTHER PERSONS THAT** establish local interagency committees
22 [composed of:

23 (i) the directors of the local health department, local department of
24 social services, and area agency; and

25 (ii) officials from housing, transportation, mental health,
26 employment, and economic development agencies.

27 (2) Local interagency committees shall coordinate and expedite the
28 delivery of services to seniors at the local level].

29 [10-307.] **10-302.**

30 (a) [(1)] The [Interagency Committee] **DEPARTMENT** shall establish [and],
31 coordinate, **AND SUPERVISE** a program to provide single points of entry within each
32 planning and service area.

1 [(2) The Department shall supervise the program for the Interagency
2 Committee.]

3 (b) Each area agency **ON AGING** shall operate a single point of entry program to
4 assess the needs of [seniors] **OLDER ADULTS** and their caregivers and provide appropriate
5 services.

6 (c) The following services shall be provided through a single point of entry:

7 (1) providing current information on available programs, services, or
8 benefits;

9 (2) determining the service needs of each [senior] **OLDER ADULT** who
10 requests service;

11 (3) processing requests for service from [seniors] **OLDER ADULTS**;

12 (4) through widely publicized local outreach facilities and communications
13 systems, providing access to available public and private programs and services for
14 [seniors] **OLDER ADULTS**, including:

15 (i) transportation services;

16 (ii) health and nutrition services;

17 (iii) financial assistance;

18 (iv) social services;

19 (v) educational services;

20 (vi) services available through volunteer organizations or private
21 agencies;

22 (vii) appropriate housing arrangements;

23 (viii) health insurance counseling;

24 (ix) employment and volunteer opportunities;

25 (x) respite care services; and

26 (xi) other programs, information, counseling, or benefits for [seniors]
27 **OLDER ADULTS**;

28 (5) monitoring the outcome of requests for service or information; and

(6) arranging with other agencies for individual assessment to determine the service needs of [a frail or health-impaired senior] **OLDER ADULTS IN NEED OF LONG-TERM SERVICES AND SUPPORTS.**

(d) To the extent possible, each single point of entry shall be:

(1) located in a senior citizen center; and

(2) available for access at least 5 days a week.

(e) [Local interagency committees on services to seniors] **AREA AGENCIES ON AGING** shall make agreements [among themselves] **WITH NONPROFIT ORGANIZATIONS OR OTHER PERSONS AS NEEDED** and [with other agencies to] provide staff on a regular basis at the single points of entry to:

(1) provide information and services to [seniors] **OLDER ADULTS**; and

(2) administer agency programs.

[10-308.] 10-303.

Each planning and service area shall have a telephone information and referral service that is available on a 24-hour basis.

[10-309.] 10-304.

(a) [(1)] The [Interagency Committee] **DEPARTMENT** shall[:

(i)] develop, **COORDINATE, AND ADMINISTER WITH AREA AGENCIES ON AGING OR OTHER PERSONS** a system to provide services to [frail or health-impaired seniors at risk of institutionalization; and

(ii) coordinate the system among the agencies represented on the Interagency Committee.

(2) The Department shall administer the system for the Interagency Committee] **OLDER ADULTS IN NEED OF LONG-TERM SERVICES AND SUPPORTS TO ALLOW OLDER ADULTS TO AGE IN A LOCATION SELECTED BY THE OLDER ADULT WITH APPROPRIATE SERVICES, SUPPORTS, AND HOUSING OPPORTUNITIES.**

(b) The services [shall] **MAY** include:

(1) integrated screening and evaluation;

(2) development of an individual plan of care;

(3) in-home services such as [minor] home repair **OR OTHER HOME MODIFICATIONS**, shopping assistance, homemaking, **CHORE SERVICES**, personal care, meal delivery or preparation, **TRANSPORTATION SERVICES, HEALTH SERVICES, AND OTHER** supportive services [to group or shared living arrangements, transportation services, and health services; and];

(4) [community] **COMMUNITY-BASED** services such as day care, [congregate meals] **FOOD AND OTHER MEAL COORDINATION**, and other [programs] **EFFORTS** to assist [seniors] **OLDER ADULTS** or adult caregivers [in providing care for seniors];

(5) **A SUBSIDY FOR THE COSTS OF AN ASSISTED LIVING PROGRAM AS DEFINED IN § 19-1801 OF THE HEALTH – GENERAL ARTICLE;**

(6) **ANY OTHER SERVICE THAT MAY MITIGATE THE RISK OF IMPACT TO, OR IMPROVE RESILIENCE OF, HOUSING OR SERVICES OF OLDER ADULTS BY NATURAL, TECHNOLOGICAL, OR HUMAN-MADE THREATS AND HAZARDS, INCLUDING CLIMATE CHANGE; AND**

(7) **ANY OTHER SERVICE AUTHORIZED BY THE DEPARTMENT.**

(c) To be eligible to participate in the system, a county, [or counties] **AREA AGENCY ON AGING, NONPROFIT ORGANIZATION, OR ANY OTHER PERSON** shall [establish a community-based plan that:

(1) is developed by a local or regional committee composed of:

(i) the directors of the local health department, local department of social services, and area agency; and

(ii) officials of other relevant agencies, such as local housing, transportation, employment, and economic development officials;

(2) is consistent with the plan developed under § 10-306(a) of this subtitle;

(3) specifies administrative arrangements to evaluate and develop care plans for frail or health-impaired seniors;

(4) encourages further coordination of service delivery;

(5) fosters individual contributions for services provided;

(6) fosters the development of innovative service delivery;

(7) fosters the development of services in conjunction with the private sector; and

(8) fosters community involvement through the use of volunteers]

COMPLY WITH DEPARTMENT STANDARDS.

[(d) The Interagency Committee, through the Department, shall work with local health departments, local departments of social services, area agencies, and local housing, transportation, economic development, and employment development officials to:

(1) a system to designate case managers to secure and manage necessary services for each frail or health-impaired senior in need; and

(2) guidelines, to establish local or regional committees to coordinate the services system to implement this section.]

SECTION 3. AND BE IT FURTHER ENACTED, That, beginning in June 2025, the Department of Aging shall engage with key stakeholders, including area agencies on aging, to:

(1) conduct program transition planning and to co-design the new, consolidated program required under Section 1 of this Act; and

(2) provide that individuals enrolled in the Senior Care, Senior Assisted Living Subsidy, and Congregate Housing Services Programs at the time of the transition required under Section 1 of this Act will receive a person-centered assessment, performed by the appropriate area agency on aging for that jurisdiction, to determine an individual transition plan that may include continued service delivery, or an alternative to ensure appropriate care is maintained.

~~SECTION 4.~~ SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect June 1, 2025.

~~SECTION 6.~~ SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in Section 5 of this Act, this Act shall take effect July 1, 2026.