

SENATE BILL 413

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6lr1794
CF 6lr3383

By: **Senators Guzzone, Middleton, Raskin, Currie, Feldman, Ferguson, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Nathan–Pulliam, Peters, Pinsky, Reilly, and Rosapepe**

Introduced and read first time: January 29, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities Administration – Crisis Resolution Funding**

3 FOR the purpose of requiring a certain report on the Waiting List Equity Fund to include
4 certain information regarding individuals in the crisis resolution category of the
5 waiting list for developmental disabilities services; establishing mandated
6 appropriations for developmental disabilities community services; requiring the
7 mandated appropriations to be used to provide services to individuals in the crisis
8 resolution category on the waiting list for developmental disabilities services;
9 authorizing unspent funds to be used to provide services to individuals in the crisis
10 prevention category on the waiting list for developmental disabilities services;
11 declaring the intent of the General Assembly regarding certain individuals who are
12 removed from a certain waiting list under certain circumstances; and generally
13 relating to funding for developmental disabilities services.

14 BY repealing and reenacting, with amendments,
15 Article – Health – General
16 Section 7–205(f)
17 Annotated Code of Maryland
18 (2015 Replacement Volume)

19 BY adding to
20 Article – Health – General
21 Section 7–205.1
22 Annotated Code of Maryland
23 (2015 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Health – General

7–205.

(f) (1) On or before January 1 of each year the Secretary shall prepare a report to be submitted to the General Assembly and the Department of Legislative Services on the Waiting List Equity Fund.

(2) The report shall include:

(i) An accounting of all receipts and expenditures to and from the Fund;

(ii) The number of individuals who left and entered State residential centers during the previous year;

(iii) The number of additional persons who were on the waiting list for developmental disabilities services during the previous year; [and]

(iv) An accounting of each of the factors used in determining the cost of providing services to an individual in a State residential center in accordance with the provisions of subsection (d)(2) of this section;

(V) THE NUMBER OF INDIVIDUALS ADDED TO THE CRISIS RESOLUTION CATEGORY OF THE WAITING LIST FOR DEVELOPMENTAL DISABILITIES SERVICES DURING THE PREVIOUS YEAR;

(VI) THE NUMBER OF INDIVIDUALS ESTIMATED TO BE ADDED TO THE CRISIS RESOLUTION CATEGORY OF THE WAITING LIST FOR DEVELOPMENTAL DISABILITIES SERVICES DURING THE NEXT YEAR; AND

(VII) THE COST TO PROVIDE SERVICES TO ALL INDIVIDUALS IN THE CRISIS RESOLUTION CATEGORY OF THE WAITING LIST FOR DEVELOPMENTAL DISABILITIES SERVICES.

7–205.1.

(A) (1) THE GOVERNOR’S PROPOSED BUDGET FOR FISCAL YEAR 2018 SHALL INCLUDE FOR PROGRAM M00M01.02 COMMUNITY SERVICES A GENERAL FUND APPROPRIATION OF \$3,500,000 OVER THE GENERAL FUND APPROPRIATION PROVIDED IN THE LEGISLATIVE APPROPRIATION IN FISCAL YEAR 2017.

(2) FOR FISCAL YEAR 2019, AND FOR EACH FISCAL YEAR THEREAFTER, THE GOVERNOR’S PROPOSED BUDGET FOR PROGRAM M00M01.02 COMMUNITY SERVICES SHALL INCLUDE A GENERAL FUND APPROPRIATION OF AT

1 LEAST **\$3,500,000** MORE THAN THE LEGISLATIVE APPROPRIATION IN THE PRIOR
2 FISCAL YEAR.

3 (B) (1) FUNDS APPROPRIATED UNDER SUBSECTION (A) OF THIS SECTION
4 SHALL BE USED TO PROVIDE ONGOING SERVICES TO INDIVIDUALS IN THE CRISIS
5 RESOLUTION CATEGORY OF THE WAITING LIST FOR DEVELOPMENTAL DISABILITIES
6 SERVICES.

7 (2) IF, AFTER PROVIDING SERVICES TO ALL INDIVIDUALS IN THE
8 CRISIS RESOLUTION CATEGORY OF THE WAITING LIST, FUNDING APPROPRIATED
9 UNDER SUBSECTION (A) IS AVAILABLE, THE FUNDING MAY BE USED TO PROVIDE
10 SERVICES TO INDIVIDUALS IN THE CRISIS PREVENTION CATEGORY OF THE WAITING
11 LIST FOR DEVELOPMENTAL DISABILITIES SERVICES.

12 (C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT AN INDIVIDUAL
13 WHO, AFTER RECEIVING SERVICES PROVIDED WITH FUNDS APPROPRIATED UNDER
14 SUBSECTION (A) OF THIS SECTION, IS REMOVED FROM THE CRISIS RESOLUTION
15 CATEGORY OF THE WAITING LIST FOR DEVELOPMENTAL DISABILITIES SERVICES:

16 (1) BE ENROLLED IN A MEDICAID WAIVER PROGRAM; OR

17 (2) CONTINUE TO RECEIVE UNINTERRUPTED DEVELOPMENTAL
18 DISABILITIES SERVICES.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2016.