

# SENATE BILL 485

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By: **Senators Middleton and Hogan**

Introduced and read first time: February 2, 2007

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on the Structural Under-Funding of Community Services for**  
3 **Individuals with Developmental Disabilities**

4 FOR the purpose of establishing the Task Force on the Structural Under-Funding of  
5 Community Services for Individuals with Disabilities; providing for the  
6 membership of the Task Force; requiring the Task Force to elect a chair;  
7 requiring the Department of Health and Mental Hygiene to provide staff for the  
8 Task Force; providing for the duties of the Task Force; prohibiting members of  
9 the Task Force from receiving certain compensation; authorizing members of  
10 the Task Force to receive certain assistance upon approval of the Secretary of  
11 Health and Mental Hygiene; requiring the Task Force to report to the Governor,  
12 the Senate Finance Committee, the Senate Budget and Taxation Committee,  
13 the House Health and Government Operations Committee, and the House  
14 Appropriations Committee; providing for the termination of this Act; and  
15 generally relating to the Task Force on the Structural Under-Funding of  
16 Community Services for Individuals with Disabilities.

17 Preamble

18 WHEREAS, Community services for individuals with developmental disabilities  
19 should be high quality and individualized to meet each person's needs; and

20 WHEREAS, 22,000 individuals with developmental disabilities, with over  
21 16,000 more on the Waiting List, depend upon the community services funded by the  
22 State of Maryland; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The viability of community services for individuals with  
2 developmental disabilities is threatened by structural under-funding; and

3 WHEREAS, Maryland ranks 44<sup>th</sup> nationally in its fiscal effort to fund and  
4 support services for individuals with developmental disabilities; and

5 WHEREAS, National best practices in community-based supports include  
6 self-directed services and customized employment; and

7 WHEREAS, Without a timely solution to the structural under-funding,  
8 State-funded community-based providers will be unable to continue to provide quality  
9 services that are accessible throughout Maryland; now, therefore,

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That:

12 (a) There is a Task Force on the Structural Under-Funding of Community  
13 Services for Individuals with Developmental Disabilities.

14 (b) The Task Force consists of the following members:

15 (1) One member of the Senate of Maryland, appointed by the  
16 President of the Senate;

17 (2) One member of the House of Delegates, appointed by the Speaker  
18 of the House;

19 (3) The Secretary of Health and Mental Hygiene, or the Secretary's  
20 designee;

21 (4) The Secretary of Budget and Management, or the Secretary's  
22 designee;

23 (5) One representative from the Maryland Association of Community  
24 Services;

25 (6) One representative from the ARC of Maryland;

26 (7) One representative from People on the Go;

27 (8) Four representatives of Developmental Disabilities  
28 Administration-funded community-based providers, including a provider of

1 residential supports, a provider of supported employment supports, a provider of day  
2 habilitation services, and a provider of community–supported living arrangements;

3 (9) One representative from the Community Services Reimbursement  
4 Rate Commission; and

5 (10) One individual with expertise on rate systems for community  
6 services in other states.

7 (c) The Secretary of Health and Mental Hygiene shall appoint the  
8 nondesignated members of the Task Force.

9 (d) The Task Force members shall elect a chair from its membership.

10 (e) The Department of Health and Mental Hygiene shall provide staff for the  
11 Task Force.

12 (f) A member of the Task Force may not receive compensation as a member  
13 of the Task Force but is entitled to reimbursement for expenses under the Standard  
14 State Travel Regulations, as provided in the State budget.

15 (g) On approval of the Secretary of Health and Mental Hygiene, the  
16 Department shall provide assistance to members requiring additional services to  
17 attend meetings of the Task Force.

18 (h) The Task Force shall:

19 (1) Review the existing rate system for community–based services  
20 funded by the Developmental Disabilities Administration and determine its strengths  
21 and weaknesses;

22 (2) Identify current mandates for service delivery;

23 (3) Compare the cost of current mandates for service delivery to the  
24 level of funding provided by the State;

25 (4) Identify promising practices in rate systems in other states that  
26 fund appropriate and individualized supports in a cost–effective manner, which are  
27 consistent with local and national best practices;

28 (5) Identify changes in the reimbursement system that further  
29 support self–directed services and implementation of best practices; and

1                   (6)    Develop recommendations to address the problem of the structural  
2 under-funding of community services.

3                   (i)    The Task Force shall report its findings and recommendations by  
4 December 31, 2007, to the Governor, and, in accordance with § 2-1246 of the State  
5 Government Article, the Senate Finance Committee, the Senate Budget and Taxation  
6 Committee, the House Health and Government Operations Committee, and the House  
7 Appropriations Committee.

8                   (j)    After the Task Force has submitted its final report, the Task Force shall  
9 continue to advise the Governor and the Maryland General Assembly on the  
10 implementation of its recommendations.

11                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 July 1, 2007. It shall remain effective for a period of 1 year and 1 month and, at the  
13 end of July 31, 2008, with no further action required by the General Assembly, this  
14 Act shall be abrogated and of no further force and effect.