

SENATE BILL 485

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71r2333

By: ~~Senators Middleton and Hogan~~ Middleton, Hogan, Garagiola, Kelley, Klausmeier, and Pugh

Introduced and read first time: February 2, 2007

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2007

CHAPTER _____

1 AN ACT concerning

2 ~~Task Force on the Structural Under Funding of Community Services for~~
3 ~~Individuals with Developmental Disabilities to Study the Developmental~~
4 ~~Disabilities Administration Rate Payment Systems~~

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

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.



1 Individuals with Disabilities to Study the Developmental Disabilities
 2 Administration Rate Payment Systems.

3 Preamble

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

6 WHEREAS, 22,000 individuals with developmental disabilities, with over
 7 16,000 more on the Waiting List, depend upon the community services funded by the
 8 State of Maryland; and

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

11 WHEREAS, Maryland ranks 44th nationally in its fiscal effort to fund and
 12 support services for individuals with developmental disabilities; and

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

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

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 19 MARYLAND, That:

20 (a) ~~There is a Task Force on the Structural Under-Funding of Community~~
 21 ~~Services for Individuals with Developmental Disabilities~~ The Department of Health
 22 and Mental Hygiene shall establish a Task Force to Study the Developmental
 23 Disabilities Administration Rate Payment Systems.

24 (b) The Task Force ~~consists~~ shall consist of the following members:

25 (1) One member of the Senate of Maryland, appointed by the
 26 President of the Senate;

27 (2) One member of the House of Delegates, appointed by the Speaker
 28 of the House;

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

- 1 (4) The Secretary of Budget and Management, or the Secretary's
2 designee;
- 3 (5) One representative from the Maryland Association of Community
4 Services;
- 5 (6) One representative from the ARC of Maryland;
- 6 (7) One representative from People on the Go;
- 7 (8) Four representatives of Developmental Disabilities
8 Administration-funded community-based providers, including a provider of
9 residential supports, a provider of supported employment supports, a provider of day
10 habilitation services, and a provider of community-supported living arrangements;
- 11 (9) One representative from the Community Services Reimbursement
12 Rate Commission; ~~and~~
- 13 (10) ~~One individual with expertise on rate systems for community~~
14 ~~services in other states~~ One individual familiar with rate systems for community
15 services in Maryland and in other states; and
- 16 (11) One representative from the Developmental Disabilities Council.
- 17 (c) The Secretary of Health and Mental Hygiene shall appoint the
18 nondesignated members of the Task Force.
- 19 (d) ~~The Task Force members shall elect a chair~~ Secretary of Health and
20 Mental Hygiene shall appoint the chair of the Task Force from its membership.
- 21 (e) The Department of Health and Mental Hygiene shall provide staff for the
22 Task Force.
- 23 (f) A member of the Task Force may not receive compensation as a member
24 of the Task Force but is entitled to reimbursement for expenses under the Standard
25 State Travel Regulations, as provided in the State budget.
- 26 (g) On approval of the Secretary of Health and Mental Hygiene, the
27 Department shall provide assistance to members requiring additional services to
28 attend meetings of the Task Force.
- 29 (h) The Task Force shall:

1 (1) Review the existing rate system for community-based services
2 funded by the Developmental Disabilities Administration and determine its strengths
3 and weaknesses;

4 (2) Identify current mandates for service delivery;

5 (3) Consider costs as reported in the Developmental Disabilities
6 Administration's cost report;

7 ~~(3)~~ (4) Compare the cost of current mandates for service delivery to the
8 level of funding provided by the State;

9 ~~(4)~~ (5) ~~Identify~~ Consider promising practices in rate systems in other
10 states that fund appropriate and individualized supports in a cost-effective manner,
11 which are consistent with local and national best practices;

12 ~~(5)~~ (6) Identify changes in the reimbursement system that further
13 support self-directed services and implementation of best practices; and

14 ~~(6)~~ (7) Develop recommendations to address the problem of the structural
15 under-funding of community services.

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

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

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