

SENATE BILL 567

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2001 Regular Session  
(11r2197)

**ENROLLED BILL**

-- Economic and Environmental Affairs/Environmental Matters --

Introduced by **Senators Frosh, Hollinger, Pinsky, and Ruben**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER 400

1 AN ACT concerning

2 **Maryland Caregivers Support Coordinating Council**

3 FOR the purpose of establishing the Maryland Caregivers Support Coordinating  
4 Council; providing for the purpose of the Council; providing for the composition  
5 of the Council and the appointment, compensation, and terms of Council  
6 members; requiring the Department of Human Resources to provide certain  
7 staff support to the Council; requiring the Council to gather certain information  
8 from caregivers through certain methods; requiring the Council to develop and  
9 distribute a handbook of certain caregiver services; requiring the Council to  
10 review certain caregiver support programs; requiring the Council to develop a  
11 model caregiver support program; requiring the Council to coordinate activities  
12 of certain caregiver services; requiring the Council to conduct certain research;  
13 requiring the Council to report to the General Assembly and the Governor on or  
14 before a certain date; and generally relating to the Maryland Caregivers  
15 Support Coordinating Council.

16 BY adding to

1 Article 88A - Department of Human Resources  
2 Section 129A  
3 Annotated Code of Maryland  
4 (1998 Replacement Volume and 2000 Supplement)

5 Preamble

6 WHEREAS, Respite is the occasional, short-term, temporary relief or rest for  
7 family caregivers who provide care for children or adults with developmental  
8 disabilities, funtional disabilities, challenging behaviors, or age-related disorders and  
9 diseases; and

10 WHEREAS, Supporting the efforts of families and caregivers to care for  
11 individuals with special needs at home is efficient, cost effective, and humane; and

12 WHEREAS, Families receiving occasional caregiver support services are less  
13 likely to request institutional care at public expense for an individual with special  
14 needs; and

15 WHEREAS, Caregiver support services reduce family and caregiver stress,  
16 enhance family and caregiver coping ability, and strengthen family ability to meet the  
17 challenging demands of caring for individuals with special needs; and

18 WHEREAS, Caregiver support services reduce the risk of abuse and neglect of  
19 children, senior citizens, and other vulnerable groups; and

20 WHEREAS, Coordinated, noncategorical caregiver support services must be  
21 available locally to provide reliable short-term relief when it is needed by families  
22 and caregivers regardless of where they live in Maryland; now, therefore,

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

25 **Article 88A - Department of Human Resources**

26 129A.

27 (A) (1) THERE IS A MARYLAND CAREGIVERS SUPPORT COORDINATING  
28 COUNCIL IN THE DEPARTMENT OF HUMAN RESOURCES.

29 (2) THE PURPOSE OF THE COUNCIL IS TO COORDINATE STATEWIDE  
30 PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF FAMILY CAREGIVER  
31 SUPPORT SERVICES.

32 (B) (1) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS,  
33 APPOINTED BY THE GOVERNOR:

34 (I) ~~ONE REPRESENTATIVE~~ TWO REPRESENTATIVES FROM THE  
35 DEPARTMENT OF HUMAN RESOURCES;

1 (II) THREE REPRESENTATIVES FROM THE DEPARTMENT OF  
2 HEALTH AND MENTAL HYGIENE;

3 (III) ONE REPRESENTATIVE FROM THE DEPARTMENT OF AGING;

4 (IV) ONE REPRESENTATIVE FROM AN AREA AGENCY ON AGING;

5 ~~(IV)~~ (V) ONE REPRESENTATIVE FROM THE GOVERNOR'S OFFICE  
6 FOR INDIVIDUALS WITH DISABILITIES;

7 ~~(V)~~ (VI) ONE REPRESENTATIVE FROM THE MARYLAND RESPITE  
8 CARE COALITION;

9 ~~(VI)~~ (VII) TWO CONSUMERS OF RESPITE SERVICES;

10 ~~(VII)~~ (VIII) THREE FAMILY CAREGIVERS; AND

11 ~~(VIII)~~ (IX) ~~THREE TWO THREE~~ REPRESENTATIVES OF  
12 ORGANIZATIONS THAT PROVIDE OR HAVE INTEREST OR EXPERTISE IN RESPITE  
13 SERVICES.

14 (2) IN APPOINTING MEMBERS TO THE COUNCIL, THE GOVERNOR, TO  
15 THE EXTENT POSSIBLE, SHALL CONSIDER GROUPS REPRESENTING INDIVIDUALS  
16 WITH:

17 (I) ALZHEIMER'S DISEASE AND RELATED DISORDERS;

18 (II) DEVELOPMENTAL DISABILITIES;

19 (III) PHYSICAL DISABILITIES;

20 (IV) CHRONIC ILLNESSES;

21 (V) MENTAL OR EMOTIONAL CONDITIONS THAT REQUIRE  
22 SUPERVISION; AND

23 (VI) VULNERABILITY TO ABUSE OR NEGLECT.

24 (3) A MEMBER OF THE COUNCIL SHALL SERVE A 3-YEAR TERM AND MAY  
25 BE REAPPOINTED.

26 (4) THE GOVERNOR SHALL APPOINT A CHAIRMAN OF THE COUNCIL  
27 FROM AMONG THE MEMBERS.

28 (5) THE DEPARTMENT OF HUMAN RESOURCES SHALL PROVIDE STAFF  
29 SUPPORT TO THE COUNCIL, INCLUDING AN INDIVIDUAL FROM THE DEPARTMENT TO  
30 SERVE AS EXECUTIVE DIRECTOR OF THE COUNCIL.

31 (6) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT  
32 COMPENSATION EXCEPT THAT THE MEMBERS MAY BE REIMBURSED FOR EXPENSES

1 UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
2 BUDGET.

3 (C) THE COUNCIL SHALL:

4 (1) SOLICIT AND GATHER CONCERNS OF CAREGIVERS BY CONDUCTING  
5 SURVEYS, HOLDING PUBLIC HEARINGS, ESTABLISHING A TELEPHONE HOTLINE FOR  
6 PUBLIC ACCESS, AND OTHER APPROPRIATE MEANS;

7 (2) DEVELOP AND DISTRIBUTE TO INTERESTED PARTIES A HANDBOOK  
8 OF CURRENT RESPITE AND OTHER FAMILY CAREGIVER SERVICES AVAILABLE IN THE  
9 STATE;

10 (3) REVIEW SUCCESSFUL RESPITE CARE PROGRAMS IN OTHER STATES;

11 (4) DEVELOP A MODEL FAMILY CAREGIVER SUPPORT PROGRAM THAT  
12 INCORPORATES BEST PRACTICES FROM EXISTING PROGRAMS IN THE STATE AND IN  
13 OTHER STATES;

14 (5) COORDINATE ACTIVITIES OF EXISTING AND PROPOSED FAMILY  
15 CAREGIVER SUPPORT SERVICES AMONG THE STATE AND LOCAL PUBLIC AGENCIES;

16 (6) RESEARCH AVAILABLE FUNDING SOURCES AND EXPLORE  
17 POSSIBILITIES FOR ADDITIONAL FUNDS; AND

18 (7) IDENTIFY UNMET NEEDS AND PRIORITIES FOR ADDITIONAL FUNDS.

19 (D) THE COUNCIL SHALL SUBMIT TO THE GOVERNOR AND, SUBJECT TO §  
20 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN  
21 ANNUAL REPORT ON ITS ACTIVITIES.

22 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,  
23 2002, the Council shall submit a report to the Governor and, subject to § 2-1246 of the  
24 State Government Article, to the General Assembly with a plan of action for family  
25 caregiver support services.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2001.