

SENATE BILL 658
EMERGENCY BILL

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O3

2002 Regular Session
(2lr2435)

ENROLLED BILL
-- Finance/Appropriations --

Introduced by Senators Ruben, Hogan, Kasemeyer, and Middleton Astle, Bromwell, DeGrange, Della, Exum, Hafer, Hogan, Hooper, Kasemeyer, Kelley, Middleton, Roesser, and Teitelbaum

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 330

1 AN ACT concerning

2 **Developmental Disabilities Administration - Supplemental Security**
3 **Income - Cost-of-Living Increase**

4 FOR the purpose of prohibiting the Developmental Disabilities Administration from
5 retaining cost-of-living increases in the Supplemental Security Income of
6 individuals receiving residential ~~or day program~~ services provided by the
7 Administration for a developmental disability; requiring the Administration to
8 add the cost-of-living increase to the individual's personal needs allowance;
9 defining a certain term; allowing the Administration to use certain funds from
10 the Waiting List Equity Fund for certain purposes; requiring the Administration
11 to reimburse a certain fund; making this Act an emergency measure; providing
12 for the termination of this Act; and generally relating to the Developmental
13 Disabilities Administration and the Supplemental Security Income increases
14 received by individuals with developmental disabilities.

15 BY repealing and reenacting, without amendments,

1 Article - Health - General
 2 Section 7-101(a) and (b)
 3 Annotated Code of Maryland
 4 (2000 Replacement Volume and 2001 Supplement)

5 BY adding to
 6 Article - Health - General
 7 Section 7-1012
 8 Annotated Code of Maryland
 9 (2000 Replacement Volume and 2001 Supplement)

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

12 **Article - Health - General**

13 7-101.

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

15 (b) "Administration" means the Developmental Disabilities Administration.

16 7-1012.

17 (A) IN THIS SECTION, "PERSONAL NEEDS ALLOWANCE" MEANS THE AMOUNT
 18 PER MONTH THAT A PROVIDER MUST ALLOW AN INDIVIDUAL TO RETAIN FROM
 19 THEIR MONTHLY INCOME FOR PERSONAL NEEDS.

20 (B) IF AN INDIVIDUAL RECEIVING RESIDENTIAL ~~OR DAY PROGRAM~~ SERVICES
 21 FOR A DEVELOPMENTAL DISABILITY RECEIVES A COST-OF-LIVING INCREASE TO
 22 THE INDIVIDUAL'S SUPPLEMENTAL SECURITY INCOME, THE ADMINISTRATION MAY
 23 NOT RETAIN THE COST-OF-LIVING INCREASE TO OFFSET THE COST OF SERVICES
 24 BUT SHALL ADD IT TO THE INDIVIDUAL'S PERSONAL ~~NEED~~ NEEDS ALLOWANCE.

25 (C) THE ADMINISTRATION MAY USE FUNDS FROM THE WAITING LIST EQUITY
 26 FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE TO ALLOW
 27 AN INDIVIDUAL'S SUPPLEMENTAL SECURITY INCOME COST-OF-LIVING INCREASE TO
 28 BE ADDED TO THE INDIVIDUAL'S PERSONAL NEEDS ALLOWANCE AND TO PREVENT
 29 FURTHER REDUCTIONS IN SERVICES TO PERSONS ON THE WAITING LIST.

30 (D) THE ADMINISTRATION SHALL REIMBURSE THE WAITING LIST EQUITY
 31 FUND ON OR BEFORE JULY 30, 2002 FOR FUNDS USED UNDER THIS SECTION.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
 33 October 1, 2002 is an emergency measure, is necessary for the immediate
 34 preservation of the public health or safety, has been passed by a yea and nay vote
 35 supported by three-fifths of all the members elected to each of the two Houses of the
 36 General Assembly, and shall take effect from the date it is enacted. It shall remain

1 effective through June 30, 2003, and, ~~and~~ at the end of June 30, 2003, with no further
2 action required by the General Assembly, this Act shall be abrogated and of no further
3 force and effect.