SENATE BILL 83

(3lr0078)

ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by Chair, Finance Committee (By Request - Departmental - Aging)

Read and Examined by Proofreaders:

										Proofre	ader.
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										Proofrea	ader.
Sealed	with	the	Great	Seal	and	presented	to the	Governor,	for his a	pproval	this
	day	of				at			o'clock,		M.
										Presi	dent.
					(CHAPTER					

1 AN ACT concerning

Department of Aging – Aging and Disability Resource Center Program – Maryland Access Point

FOR the purpose of adding to the duties of the Secretary of Aging; establishing the 4 $\mathbf{5}$ Aging and Disability Resource Center Program in the Department of Aging; 6 providing that the Program is the State's Aging and Disability Resource Center 7 for purposes of the federal Older Americans Act; specifying the purpose of the 8 Program; requiring the Department to administer, supervise, and coordinate 9 the Program with the cooperation of certain other State agencies; requiring the Program to designate local Program offices and provide certain services and 10 materials; defining certain terms; and generally relating to the Secretary of 11 12Aging and the Aging and Disability Resource Center Program.

- 13 <u>BY repealing and reenacting, with amendments,</u>
- 14 <u>Article Human Services</u>

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments



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$egin{array}{c} 1 \\ 2 \\ 3 \end{array}$	<u>Section 10–204</u> <u>Annotated Code of Maryland</u> (2007 Volume and 2012 Supplement)							
$4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9$	BY adding to Article – Human Services Section 10–1001 through 10–1004 to be under the new subtitle "Subtitle 10. Aging and Disability Resource Center Program" Annotated Code of Maryland (2007 Volume and 2012 Supplement)							
10 11	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:							
12	Article – Human Services							
13	<u>10–204.</u>							
$14 \\ 15 \\ 16$	(a) <u>The Secretary shall administer the programs and activities that the</u> <u>federal government delegates to the State under the Older Americans Act of 1965 that</u> <u>are not otherwise committed by law to another unit of State government.</u>							
17	(b) The Secretary:							
18	(1) is a member of the Governor's Executive Council; and							
$\begin{array}{c} 19\\ 20 \end{array}$	(2) <u>shall cooperate with and receive the cooperation of State, federal,</u> and local governmental units to carry out the purposes of this title.							
21	(c) The Secretary shall:							
22	(1) evaluate the service needs of seniors in the State;							
$\begin{array}{c} 23\\ 24 \end{array}$	(2) determine the extent to which existing public and private programs meet the needs of seniors;							
25	(3) establish priorities for meeting the needs of seniors;							
26 27 28 29	(4) <u>coordinate, subject to existing law, [and] assess and evaluate, AND</u> <u>EDUCATE THE PUBLIC AND PROFESSIONALS ABOUT all State and local programs</u> <u>and services, both public and private, that relate and are important to the well-being of</u> <u>seniors in the State, including programs and services in the areas of:</u>							
30	(i) income maintenance;							
31	(ii) public health;							

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1		<u>(iii)</u>	<u>mental health;</u>			
2		<u>(iv)</u>	housing and urban development;			
3		<u>(v)</u>	<u>employment;</u>			
4		<u>(vi)</u>	<u>education;</u>			
5		<u>(vii)</u>	recreation; and			
$6 \\ 7$	and	<u>(viii)</u>	rehabilitation of seniors with physical or mental disabilities;			
8 9 10	=	d coor	op a statewide plan incorporating local plans for a dinated system of health, social, and community services for ag and institutional and noninstitutional care.			
11	(d) The Secretary shall:					
$\begin{array}{c} 12\\ 13 \end{array}$	(1) <u>represent the interests of seniors by serving as an advocate at all</u> <u>levels of government;</u>					
$\begin{array}{c} 14\\ 15\\ 16\end{array}$	(2) <u>consult with and advise the secretaries of the principal departments</u> of State government about the programs and services for seniors that are the primary responsibility of those departments;					
$\begin{array}{c} 17\\18\end{array}$	<u>(3)</u> programs for senic		ult with the Commission on Aging on all matters pertaining to			
19 20	<u>(4)</u> civic groups develo		<u>de consultation and technical assistance to communities and</u> <u>ocal services for seniors;</u>			
$\begin{array}{c} 21 \\ 22 \end{array}$	<u>(5)</u> <u>seniors; and</u>	<u>main</u>	tain a clearinghouse of information related to the interests of			
$\begin{array}{c} 23 \\ 24 \end{array}$	<u>(6)</u> plans and program		<u>v and recommend policies to the Governor on publicly funded</u> <u>affect seniors.</u>			
25	SUBTITLE 1	0. Agi	ING AND DISABILITY RESOURCE CENTER PROGRAM.			
26	10-1001.					
27	(A) IN T	HIS SU	UBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS			

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INDICATED.

1 (B) "AGING AND DISABILITY RESOURCE CENTER" HAS THE MEANING 2 STATED IN 42 U.S.C. § 3002(4).

3 (C) "LONG-TERM SERVICES AND SUPPORTS" MEANS THE BROAD RANGE
 4 OF ASSISTANCE NEEDED BY INDIVIDUALS WITH PHYSICAL, COGNITIVE, OR
 5 INTELLECTUAL DISABILITIES OLDER ADULTS AND INDIVIDUALS WITH
 6 DISABILITIES.

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(D) "OPTIONS COUNSELING" MEANS AN INTERACTIVE PROCESS THAT:

8 (1) CONSIDERS AN INDIVIDUAL'S NEEDS, PREFERENCES, VALUES, 9 AND CIRCUMSTANCES;

10(2)ASSISTS AND SUPPORTS THE INDIVIDUAL AND OTHERS THE11INDIVIDUAL REQUESTS TO PARTICIPATE IN THE PROCESS;

12(3)DETERMINES THE INDIVIDUAL'S GOALS FOR INDEPENDENT13LIVING; AND

14(4) DEVELOPS AN APPROPRIATE LONG-TERM SERVICES AND15SUPPORTS PLAN TO ACHIEVE THOSE GOALS.

16 (E) "PROGRAM" MEANS THE AGING AND DISABILITY RESOURCE 17 CENTER PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

18 **10–1002.**

19(A) THERE IS AN AGING AND DISABILITY RESOURCE CENTER20PROGRAM, KNOWN AS "MARYLAND ACCESS POINT", IN THE DEPARTMENT.

21 (B) THE PROGRAM IS THE STATE'S AGING AND DISABILITY RESOURCE 22 CENTER FOR PURPOSES OF THE FEDERAL OLDER AMERICANS ACT 23 AMENDMENTS OF 2006.

(C) THE PURPOSE OF THE PROGRAM IS TO PROVIDE A COORDINATED
SYSTEM OF INFORMATION AND ACCESS FOR INDIVIDUALS SEEKING LONG-TERM
SERVICES AND SUPPORTS, INCLUDING IN-HOME, COMMUNITY-BASED, AND
INSTITUTIONAL SERVICES.

(D) THE DEPARTMENT SHALL ADMINISTER, SUPERVISE, AND
 COORDINATE THE PROGRAM WITH THE COOPERATION OF THE DEPARTMENT OF
 DISABILITIES, THE DEPARTMENT OF HUMAN RESOURCES, THE GOVERNOR'S
 OFFICE OF THE DEAF AND HARD OF HEARING, AND THE DEPARTMENT OF
 HEALTH AND MENTAL HYGIENE.

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1 **10–1003.**

2 THE PROGRAM SHALL DESIGNATE LOCAL MARYLAND ACCESS POINT OFFICES THROUGHOUT THE STATE TO ENSURE EASY ACCESS TO THE PROGRAM. 3 10 - 1004. 4 THE PROGRAM SHALL, USING ITS AVAILABLE RESOURCES, PROVIDE: $\mathbf{5}$ (1) 6 **OPTIONS COUNSELING;** 7 (2) ASSESSMENTS TO IDENTIFY AN INDIVIDUAL'S NEEDS AND 8 DESIRES FOR COMPREHENSIVE LONG-TERM SERVICES AND SUPPORTS; 9 (3) SCREENING FOR PUBLIC BENEFITS AND PRIVATE RESOURCES; 10 ASSISTANCE CONCERNING AGING AND DISABILITY (4) (2) 11 **ISSUES AND LONG-TERM SERVICES AND SUPPORTS PLANNING;** 12(5) (3) WRITTEN MATERIALS REGARDING THE AVAILABILITY OF 13 **PROGRAM SERVICES;** 14 (6) (4) A PUBLIC DATABASE, WHICH CAN BE ACCESSED AND SEARCHED ON THE INTERNET, OF RESOURCES AND SERVICES THAT COULD BE 1516 **USEFUL TO:** 17**(I)** INDIVIDUALS WHO MAY NEED LONG-TERM SERVICES AND SUPPORTS; 18 19 **(II)** CAREGIVERS OF INDIVIDUALS WHO NEED LONG-TERM 20SERVICES AND SUPPORTS; AND 21(III) INDIVIDUALS INVOLVED IN LONG-TERM SERVICES AND 22SUPPORTS PLANNING; AND 23(7)(5) OTHER RELATED SERVICES NECESSARY FOR THE **PROGRAM'S SUCCESS.** 24SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2526October 1, 2013.