

## Chapter 178

(Senate Bill 83)

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 Aging and Disability Resource Center Program in the Department of Aging; providing that the Program is the State's Aging and Disability Resource Center for purposes of the federal Older Americans Act; specifying the purpose of the Program; requiring the Department to administer, supervise, and coordinate the Program with the cooperation of certain other State agencies; requiring the Program to designate local Program offices and provide certain services and materials; defining certain terms; and generally relating to the Secretary of Aging and the Aging and Disability Resource Center Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–204

Annotated Code of Maryland

(2007 Volume and 2012 Supplement)

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)

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

#### Article – Human Services

10–204.

(a) The Secretary shall administer the programs and activities that the federal government delegates to the State under the Older Americans Act of 1965 that are not otherwise committed by law to another unit of State government.

(b) The Secretary:

(1) is a member of the Governor's Executive Council; and

(2) shall cooperate with and receive the cooperation of State, federal, and local governmental units to carry out the purposes of this title.

(c) The Secretary shall:

(1) evaluate the service needs of seniors in the State;

(2) determine the extent to which existing public and private programs meet the needs of seniors;

(3) establish priorities for meeting the needs of seniors;

(4) coordinate, subject to existing law, [and] assess and evaluate, AND EDUCATE THE PUBLIC AND PROFESSIONALS ABOUT all State and local programs and services, both public and private, that relate and are important to the well-being of seniors in the State, including programs and services in the areas of:

(i) income maintenance;

(ii) public health;

(iii) mental health;

(iv) housing and urban development;

(v) employment;

(vi) education;

(vii) recreation; and

(viii) rehabilitation of seniors with physical or mental disabilities;

and

(5) develop a statewide plan incorporating local plans for a comprehensive and coordinated system of health, social, and community services for seniors, including housing and institutional and noninstitutional care.

(d) The Secretary shall:

(1) represent the interests of seniors by serving as an advocate at all levels of government;

(2) consult with and advise the secretaries of the principal departments of State government about the programs and services for seniors that are the primary responsibility of those departments;

(3) consult with the Commission on Aging on all matters pertaining to programs for seniors;

(4) provide consultation and technical assistance to communities and civic groups developing local services for seniors;

(5) maintain a clearinghouse of information related to the interests of seniors; and

(6) review and recommend policies to the Governor on publicly funded plans and programs that affect seniors.

#### **SUBTITLE 10. AGING AND DISABILITY RESOURCE CENTER PROGRAM.**

##### **10-1001.**

**(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

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

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

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

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

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

**(3) DETERMINES THE INDIVIDUAL'S GOALS FOR INDEPENDENT LIVING; AND**

**(4) DEVELOPS AN APPROPRIATE LONG-TERM SERVICES AND SUPPORTS PLAN TO ACHIEVE THOSE GOALS.**

**(E) “PROGRAM” MEANS THE AGING AND DISABILITY RESOURCE CENTER PROGRAM ESTABLISHED UNDER THIS SUBTITLE.**

**10-1002.**

**(A) THERE IS AN AGING AND DISABILITY RESOURCE CENTER PROGRAM, KNOWN AS “MARYLAND ACCESS POINT”, IN THE DEPARTMENT.**

**(B) THE PROGRAM IS THE STATE’S AGING AND DISABILITY RESOURCE CENTER FOR PURPOSES OF THE FEDERAL OLDER AMERICANS ACT 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.**

**10-1003.**

**THE PROGRAM SHALL DESIGNATE LOCAL MARYLAND ACCESS POINT OFFICES THROUGHOUT THE STATE TO ENSURE EASY ACCESS TO THE PROGRAM.**

**10-1004.**

**THE PROGRAM SHALL, USING ITS AVAILABLE RESOURCES, PROVIDE:**

- (1) OPTIONS COUNSELING;**
- ~~**(2) ASSESSMENTS TO IDENTIFY AN INDIVIDUAL’S NEEDS AND DESIRES FOR COMPREHENSIVE LONG-TERM SERVICES AND SUPPORTS;**~~
- ~~**(3) SCREENING FOR PUBLIC BENEFITS AND PRIVATE RESOURCES;**~~
- (4) (2) ASSISTANCE CONCERNING AGING AND DISABILITY ISSUES AND LONG-TERM SERVICES AND SUPPORTS PLANNING;**
- ~~**(5) (3) WRITTEN MATERIALS REGARDING THE AVAILABILITY OF PROGRAM SERVICES;**~~

~~(6)~~ (4) A PUBLIC DATABASE, WHICH CAN BE ACCESSED AND SEARCHED ON THE INTERNET, OF RESOURCES AND SERVICES THAT COULD BE USEFUL TO:

(I) INDIVIDUALS WHO MAY NEED LONG-TERM SERVICES AND SUPPORTS;

(II) CAREGIVERS OF INDIVIDUALS WHO NEED LONG-TERM SERVICES AND SUPPORTS; AND

(III) INDIVIDUALS INVOLVED IN LONG-TERM SERVICES AND SUPPORTS PLANNING; AND

~~(7)~~ (5) OTHER RELATED SERVICES NECESSARY FOR THE PROGRAM'S SUCCESS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 2, 2013.