SENATE BILL 226

01, 03 4 lr 0 279(PRE-FILED) **CF HB 215**

By: Chair, Finance Committee (By Request - Departmental - Disabilities)

Requested: September 19, 2023

Introduced and read first time: January 10, 2024

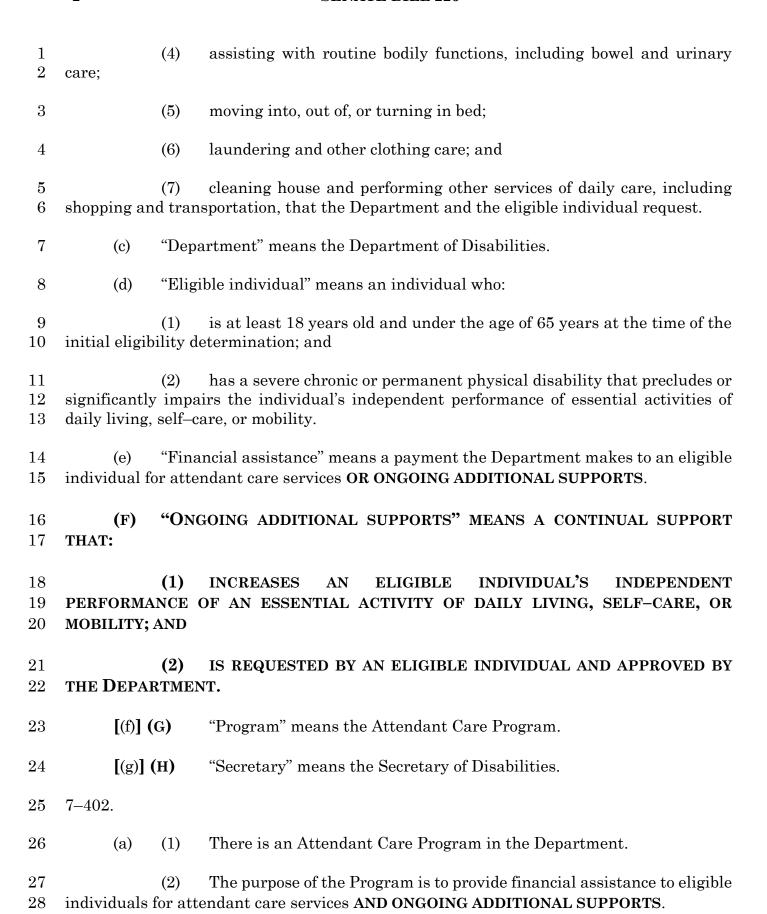
Assigned to: Finance

	A BILL ENTITLED
1	AN ACT concerning
2	Human Services – Attendant Care Program – Ongoing Additional Supports
3 4 5	FOR the purpose of altering the purpose of the Attendant Care Program to include the provision of financial assistance for ongoing additional supports; and generally relating to the Attendant Care Program and ongoing additional supports.
6 7 8 9 10	BY repealing and reenacting, with amendments, Article – Human Services Section 7–401, 7–402, and 7–404 Annotated Code of Maryland (2019 Replacement Volume and 2023 Supplement)
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
13	Article – Human Services
14	7–401.
15	(a) In this subtitle the following words have the meanings indicated.
16 17 18	(b) "Attendant care services" means any of the following services for an eligible individual, which are certified as necessary by an attending physician or by a registered nurse:
19	(1) dressing;
20	(2) preparing food and assisting with eating;
21	(3) bathing and personal hygiene;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





- 1 The Department shall provide financial assistance in accordance with a 2 sliding payment scale that the Department establishes by regulation for each category of 3 eligible individuals described in § 7–404(a) of this subtitle. 4 7-404.5 (a) The Department shall ensure that at any given time at least 50% of the 6 eligible individuals receiving financial assistance under the Program are: 7 gainfully employed; (i) 8 (ii) actively seeking employment; or 9 attending an institution of postsecondary or higher education, as (iii) defined in § 10–101 of the Education Article. 10 11 (2) The remainder of the eligible individuals receiving financial assistance 12under the Program shall be individuals who: 13 reside in a nursing facility or similar institution licensed to provide chronic or intermediate care and who will be deinstitutionalized as a result of the 14 15 Program; or 16 (ii) are certified by an attending physician or certified nurse 17 practitioner as being at risk of placement in a nursing facility or similar institution licensed to provide chronic or intermediate care if attendant care services are not received in the 18 19 community. 20 Subject to the availability of funds, the Secretary may waive the (b) 21proportional requirement of subsection (a)(1) of this section in the event there is a waiting 22list of eligible individuals described in subsection (a)(2) of this section. 23The Secretary may adopt regulations to establish priorities and procedures for a waiting list of eligible individuals. 24
- 25 (3) An eligible individual receiving financial assistance may not be removed from the Program to achieve the proportional requirement under subsection (a)(1) of this section.

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- (c) Financial assistance provided under the Program may not duplicate any other State or federal assistance for attendant care services **OR ONGOING ADDITIONAL SUPPORTS** that an eligible individual receives.
- 31 (d) The Department shall limit participation in the Program to the number of 32 eligible individuals who can be served with the funds appropriated for the Program in the 33 State budget.

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- 1 (e) Each year, the Department shall review the eligibility of each individual 2 receiving financial assistance.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 4 October 1, 2024.