

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Human Resources**
(DLS Control No. 15-327)

Overview and Legal and Fiscal Impact

The regulations clarify and update various aspects of the Social Services to Adults (SSTA) Program, including the program’s purpose, eligibility standards, application process, delivery of services, reassessment process, and waitlist process.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Department of Human Resources:

Social Services Administration: Social Services to Adults: COMAR 07.02.15.01-.11

Legal Analysis

Summary of Regulations

The regulations provide that the purpose of the SSTA Program is to engage clients and their formal and informal resources while in the process of decreasing risk to the client and achieving successful client goals through identification, linkage, and enhancement of client supports and resources. The regulations also alter the purpose of SSTA Program to include achieving or maintaining the client’s safe living environment in the community with formal and informal supports. In addition, the regulations require that SSTA target service delivery resources to those clients most in need.

The regulations alter certain definitions and add definitions of “formal resources” and “informal resources”. “Formal resources” means professionals and/or agencies that provide services or treatment to the client. “Informal resources” includes family members, neighbors, volunteers, faith-based groups and other community members who are involved with the client as a support.

The regulations alter the eligibility requirements for SSTA to provide that (1) eligibility for information and referral services or crisis intervention services is provided without regard to income and (2) eligibility for on-going case management services may exceed 80% of the State Median Income should the adult be assessed as requiring In-Home Aide Services or

Adult Foster Care. The regulations provide that an adult is not eligible for SSTA if the adult does not agree to participate fully in identifying and engaging needed resources or if the adult is receiving case management from the Certified Adult Residential Environment program or any other case management service program.

The regulations also alter the application process. The department's representative must complete an initial assessment of the client's risk, needs, resources, and eligibility within 10 days of receipt of referral. If the local department finds that it is faced with limited staff resources or experiences a delay in the completion of an application to establish eligibility, the client's name shall be placed on a client waitlist without an assessment. If the adult is placed on the client waitlist, the department must provide specified written notice to the client.

The regulations require the local department to collect the application and determine the client's eligibility and the type of service that is appropriate for the applicant. After determining eligibility and program appropriateness, the local department must provide certain written notice regarding the decision to the adult or the adult's representative. The regulations provide that case management service is appropriate for an adult who seeks to achieve or maintain economic self-support, seeks to achieve or maintain self-sufficiency, seeks assistance navigating needed service systems, and is at risk of abuse, neglect, exploitation, or self-neglect.

The regulations provide for the action to be taken by the department when information and referral is needed, when crisis intervention is appropriate, and for continuing SSTA case management services. The regulations also alter the requirements related to reassessments of eligibility to include (1) a review of the most current service plan to determine progress towards goals; (2) an assessment of the effectiveness and efficiency of the formal and informal resources which have provided support to the adult during the most recent service plan period; (3) a reassessment of the adult's strengths, needs, level of risk, dependency on the local department, and resources; (4) development of an individualized service plan for the next service period; and (5) a case analysis that determines whether the case will be closed or whether staff resources will be committed to the case for up to an additional six months. The department must notify the client or the client's representative in writing of their eligibility status for services. The regulations also provide procedures to be established by the local department when developing a client waitlist without an assessment or with an assessment.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites §§ 4-205(a), 4-207, 5-205(a), and 5-207 of the Human Services Article as statutory authority for the regulations. Section 4-205(a) provides that the Social Services Administration shall be the central coordinating and directing agency of all social service activities in the State. Sections 4-207 and 5-207 both provide that the Executive Director of Social Services may adopt regulations necessary to carry out the duties imposed on the executive director by law. Section 5-205(a) provides that the Social Services Administration shall be the central coordinating

and directing agency of all public assistance programs in the State including public assistance to adults.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations reflect current practice and have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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