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Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Independent Living Services Act**

3 FOR the purpose of establishing the Maryland Statewide Independent Living Services
4 Council; providing for the membership, powers, duties, and operation of the
5 Council; authorizing the Council to adopt regulations consistent with this Act;
6 providing for a State Independent Living Plan for the provision of services to people
7 with disabilities; establishing the mission and operational goals for centers for
8 independent living; providing for grants and funding for the establishment of
9 centers for independent living; requiring centers for independent living to maintain
10 certain standards and give certain assurances in order to qualify for assistance;
11 defining certain terms; and generally relating to independent living services.

12 BY adding to

13 Article - Health - General
14 Section 19-2001 through 19-2010, inclusive, to be under the new subtitle "Subtitle
15 20. Independent Living Services"
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1996 Supplement)

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

20 **Article - Health - General**

21 SUBTITLE 20. INDEPENDENT LIVING SERVICES.

22 19-2001.

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

25 (B) "CENTER FOR INDEPENDENT LIVING" MEANS A PRIVATE, NONPROFIT
26 AGENCY IN WHICH AT LEAST 51% OF THE PRINCIPAL GOVERNING BOARD,
27 MANAGEMENT, AND STAFF ARE INDIVIDUALS WITH DISABILITIES AND THAT:

28 (1) IS DESIGNED AND OPERATED WITHIN A LOCAL COMMUNITY BY
29 INDIVIDUALS WITH DISABILITIES;

2

1 (2) PROVIDES AN ARRAY OF INDEPENDENT LIVING SERVICES AND
2 PROGRAMS; AND

3 (3) ASSISTS INDIVIDUALS THAT HAVE DISABILITIES.

4 (C) "COUNCIL" MEANS THE MARYLAND STATEWIDE INDEPENDENT LIVING
5 SERVICES COUNCIL ESTABLISHED BY THIS SUBTITLE.

6 (D) "DESIGNATED STATE UNIT" MEANS THE UNIT DESIGNATED BY THE
7 GOVERNOR TO ADMINISTER PROGRAMS FUNDED UNDER THE REHABILITATION
8 ACT OF 1973, AS AMENDED.

9 (E) "DISABILITY" MEANS:

10 (1) A PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY
11 LIMITS ONE OR MORE OF THE MAJOR LIFE ACTIVITIES OF AN INDIVIDUAL;

12 (2) A RECORD OF AN INDIVIDUAL'S IMPAIRMENT; OR

13 (3) BEING REGARDED AS HAVING AN IMPAIRMENT.

14 (F) "INDEPENDENT LIVING CORE SERVICES" INCLUDES ALL OF THE
15 FOLLOWING:

16 (1) INFORMATION AND REFERRAL SERVICES;

17 (2) INDEPENDENT LIVING SKILLS TRAINING;

18 (3) PEER COUNSELING; AND

19 (4) INDIVIDUAL AND SYSTEMS ADVOCACY.

20 (G) "INDEPENDENT LIVING SERVICES" INCLUDES:

21 (1) INDEPENDENT LIVING CORE SERVICES; AND

22 (2) ANY OTHER SERVICES AND ASSISTANCE THAT MAY INCLUDE:

23 (I) COUNSELING SERVICES, INCLUDING PSYCHOLOGICAL,
24 PSYCHOTHERAPEUTIC, AND RELATED SERVICES;

25 (II) SERVICES RELATED TO SECURING HOUSING OR SHELTER;

26 (III) ASSISTIVE TECHNOLOGY;

27 (IV) INTERPRETER AND READER SERVICES;

28 (V) PERSONAL ASSISTANCE SERVICES, INCLUDING ATTENDANT
29 CARE AND THE TRAINING OF PERSONNEL PROVIDING PERSONAL ASSISTANCE
30 SERVICES;

31 (VI) SURVEYS, DIRECTORIES, AND OTHER ACTIVITIES TO IDENTIFY
32 APPROPRIATE HOUSING, RECREATION OPPORTUNITIES, ACCESSIBLE
33 TRANSPORTATION, AND OTHER SUPPORT SERVICES;

3

1 (VII) SERVICES AND TECHNICAL ASSISTANCE RELATED TO THE
2 IMPLEMENTATION OF THE AMERICANS WITH DISABILITIES ACT OF 1990, AS
3 AMENDED, AND OTHER RELATED FEDERAL AND STATE LAWS;

4 (VIII) ACTIVITIES SUPPORTING, ASSISTING, OR MAINTAINING LIFE IN
5 THE COMMUNITY;

6 (IX) TRANSPORTATION, INCLUDING REFERRAL FOR AND
7 ASSISTANCE WITH TRANSPORTATION;

8 (X) INDIVIDUAL AND GROUP COMMUNITY INTEGRATION
9 ACTIVITIES;

10 (XI) TRAINING TO DEVELOP SKILLS THAT PROMOTE
11 SELF-AWARENESS AND ESTEEM, DEVELOP ADVOCACY AND SELF-EMPOWERMENT
12 SKILLS, AND EXPLORE CAREER OPTIONS;

13 (XII) APPROPRIATE PREVENTIVE SERVICES TO DECREASE THE
14 NEEDS OF INDIVIDUALS ASSISTED UNDER THIS SUBTITLE FOR SERVICES IN THE
15 FUTURE;

16 (XIII) COMMUNITY AWARENESS PROGRAMS TO ENHANCE THE
17 UNDERSTANDING AND INTEGRATION INTO SOCIETY OF INDIVIDUALS WITH
18 DISABILITIES;

19 (XIV) COMMUNICATING THE PROGRAMMATIC NEEDS AND CIVIL
20 RIGHTS OF INDIVIDUALS WITH DISABILITIES TO STATE AND LOCAL PLANNERS
21 RESPONSIBLE FOR COMMUNITY SERVICES; AND

22 (XV) ANY OTHER NECESSARY SERVICES, NOT INCONSISTENT WITH
23 THIS SUBTITLE.

24 (H) "MAJOR LIFE ACTIVITIES" INCLUDES COMMUNICATION, SELF-CARE,
25 MOBILITY, AND SELF-DIRECTION.

26 (I) "STATE PLAN" MEANS THE STATE INDEPENDENT LIVING PLAN.

27 19-2002.

28 SERVICES MAY BE PROVIDED UNDER THIS SUBTITLE TO:

29 (1) ANY INDIVIDUAL WITH A DISABILITY;

30 (2) PARENTS AND FAMILIES OF INDIVIDUALS WITH DISABILITIES; AND

31 (3) AS APPROPRIATE, PROFESSIONALS IN THE COMMUNITY WORKING
32 WITH INDIVIDUALS WITH DISABILITIES.

33 19-2003.

34 (A) (1) THERE IS A MARYLAND STATEWIDE INDEPENDENT LIVING SERVICES
35 COUNCIL.

36 (2) THE COUNCIL SHALL BE THE SAME COUNCIL ESTABLISHED AS
37 REQUIRED BY THE REHABILITATION ACT OF 1973, AS AMENDED.

4

1 (3) THE COUNCIL SHALL BE AN INDEPENDENT COUNCIL THAT
2 FUNCTIONS IN THE DEPARTMENT.

3 (4) THE COUNCIL SHALL ADOPT BYLAWS GOVERNING ITS OPERATIONS
4 AND MEET AT LEAST QUARTERLY.

5 (B) (1) THE GOVERNOR SHALL APPOINT MEMBERS TO THE COUNCIL FROM
6 THE RECOMMENDATIONS OF REPRESENTATIVES OF ORGANIZATIONS WITH
7 GOVERNING BOARDS IN WHICH AT LEAST 51% OF THE BOARD MEMBERS ARE
8 INDIVIDUALS WITH DISABILITIES.

9 (2) THE MEMBERS OF THE COUNCIL SHALL:

10 (I) PROVIDE STATEWIDE REPRESENTATION;

11 (II) REPRESENT A BROAD RANGE OF INDIVIDUALS WITH
12 DISABILITIES; AND

13 (III) ENSURE THE EFFECTIVE DISSEMINATION OF INFORMATION
14 ABOUT THE SERVICES AND PROGRAMS PROVIDED BY CENTERS FOR INDEPENDENT
15 LIVING.

16 (C) (1) THE COUNCIL SHALL INCLUDE:

17 (I) A MAJORITY OF INDIVIDUALS WITH DISABILITIES WHO ARE
18 NOT STATE EMPLOYEES;

19 (II) ALL OF THE DIRECTORS OF THE CENTERS FOR INDEPENDENT
20 LIVING IN THE STATE; AND

21 (III) EX OFFICIO, NONVOTING MEMBERS, WHICH SHALL BE:

22 1. A REPRESENTATIVE FROM THE DESIGNATED STATE
23 UNIT; AND

24 2. REPRESENTATIVES FROM OTHER STATE AGENCIES THAT
25 PROVIDE SERVICES FOR INDIVIDUALS WITH DISABILITIES.

26 (2) IN ADDITION TO THE MEMBERS PROVIDED FOR IN SUBSECTIONS (B)
27 OF THIS SECTION AND PARAGRAPH (1) OF THIS SUBSECTION, THE GOVERNOR MAY
28 APPOINT ADDITIONAL MEMBERS WHO MAY BE:

29 (I) OTHER REPRESENTATIVES FROM CENTERS FOR INDEPENDENT
30 LIVING;

31 (II) PARENTS AND GUARDIANS OF INDIVIDUALS WITH
32 DISABILITIES;

33 (III) REPRESENTATIVES OF ADVOCACY ORGANIZATIONS;

34 (IV) REPRESENTATIVES FROM PRIVATE BUSINESSES;

35 (V) REPRESENTATIVES FROM ORGANIZATIONS THAT PROVIDE
36 SERVICES FOR INDIVIDUALS WITH DISABILITIES; AND

5

1 (VI) ANY OTHER INDIVIDUALS THE GOVERNOR CONSIDERS
2 APPROPRIATE.

3 (D) (1) THE COUNCIL SHALL SELECT A CHAIRPERSON, AN EXECUTIVE
4 DIRECTOR, AND A CHIEF STAFF OFFICER FROM AMONG THE MEMBERS OF THE
5 COUNCIL.

6 (2) THE CHAIRPERSON, THE EXECUTIVE DIRECTOR, AND THE CHIEF
7 STAFF OFFICER SHALL BE STATE EMPLOYEES WHOSE COMPENSATION IS PROVIDED
8 IN THE STATE BUDGET AND FUNDED UNDER THE REHABILITATION ACT OF 1973, AS
9 AMENDED.

10 (E) (1) THE TERM OF A MEMBER OF THE COUNCIL IS 3 YEARS AND BEGINS
11 ON JULY 1.

12 (2) A MEMBER MAY NOT SERVE MORE THAN 2 CONSECUTIVE TERMS.

13 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL
14 THE GOVERNOR APPOINTS A SUCCESSOR.

15 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
16 ONLY FOR THE REST OF THE TERM AND UNTIL THE GOVERNOR APPOINTS A
17 SUCCESSOR.

18 (5) THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR
19 MISCONDUCT.

20 (6) (I) A DIRECTOR OF A CENTER FOR INDEPENDENT LIVING MAY
21 SERVE ON THE COUNCIL FOR NO MORE THAN 2 CONSECUTIVE 3-YEAR TERMS.

22 (II) WHEN A VACANCY ARISES BECAUSE A DIRECTOR OF A
23 CENTER FOR INDEPENDENT LIVING HAS SERVED THE MAXIMUM NUMBER OF
24 TERMS, THE GOVERNOR SHALL APPOINT ANOTHER REPRESENTATIVE OF THE
25 CENTER FOR INDEPENDENT LIVING.

26 (7) ANY VACANCY OCCURRING IN THE MEMBERSHIP OF THE COUNCIL
27 SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT AND MAY
28 NOT AFFECT THE POWER OF THE REMAINING MEMBERS TO EXECUTE THE DUTIES
29 OF THE COUNCIL.

30 (8) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
31 TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 1997.

32 19-2004.

33 (A) THE COUNCIL SHALL:

34 (1) DEVELOP AND SUBMIT, IN CONJUNCTION WITH THE DESIGNATED
35 STATE UNIT, THE STATE PLAN REQUIRED BY THIS SUBTITLE;

36 (2) MONITOR, REVIEW, AND EVALUATE THE IMPLEMENTATION OF THE
37 STATE PLAN;

1 (3) COORDINATE ACTIVITIES WITH OTHER STATE ADVISORY BODIES
2 THAT ADDRESS THE NEEDS OF SPECIFIC DISABILITY POPULATIONS AND RELATED
3 ISSUES UNDER FEDERAL AND STATE LAWS;

4 (4) ENSURE THAT ALL MEETINGS COMPLY WITH TITLE 10, SUBTITLE 5
5 OF THE STATE GOVERNMENT ARTICLE; AND

6 (5) PREPARE AND SUBMIT REPORTS AND MAKE RECOMMENDATIONS,
7 AS NECESSARY, TO THE GOVERNOR, GENERAL ASSEMBLY, AND THE MARYLAND
8 ADVISORY COUNCIL FOR INDIVIDUALS WITH DISABILITIES.

9 (B) THE COUNCIL IS AUTHORIZED TO MAKE REGULATIONS CONSISTENT
10 WITH THIS SUBTITLE.

11 19-2005.

12 (A) THE COUNCIL AND THE DESIGNATED STATE UNIT SHALL DEVELOP A
13 STATE PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE REHABILITATION
14 ACT OF 1973, AS AMENDED, IN ORDER TO RECEIVE FINANCIAL ASSISTANCE.

15 (B) (1) THE STATE PLAN SHALL PROVIDE FOR REVIEW AND REVISION OF THE
16 STATE PLAN AT LEAST ONCE EVERY 3 YEARS TO ENSURE THE EXISTENCE OF
17 APPROPRIATE PLANNING, FINANCIAL SUPPORT AND COORDINATION, AND OTHER
18 ASSISTANCE TO ADDRESS THE STATE'S NEED FOR:

19 (I) DEVELOPMENT AND SUPPORT OF A STATEWIDE NETWORK OF
20 CENTERS FOR INDEPENDENT LIVING;

21 (II) PROVISION OF STATEWIDE INDEPENDENT LIVING SERVICES;
22 AND

23 (III) ESTABLISHMENT OF WORKING RELATIONSHIPS BETWEEN:

24 1. PROGRAMS PROVIDING INDEPENDENT LIVING SERVICES
25 AND INDEPENDENT LIVING CENTERS; AND

26 2. THE VOCATIONAL REHABILITATION PROGRAM
27 ESTABLISHED UNDER THE REHABILITATION ACT OF 1973, AS AMENDED, AND OTHER
28 PROGRAMS PROVIDING SERVICES TO INDIVIDUALS WITH DISABILITIES.

29 (2) THE STATE PLAN SHALL INCLUDE A METHOD FOR THE PERIODIC
30 EVALUATION OF THE EFFECTIVENESS OF THE STATE PLAN IN MEETING THE
31 OBJECTIVES ESTABLISHED, INCLUDING EVALUATION OF SATISFACTION BY
32 INDIVIDUALS WITH DISABILITIES.

33 (C) THE STATE PLAN SHALL:

34 (1) SPECIFY THE OBJECTIVES TO BE ACHIEVED UNDER THE STATE PLAN
35 AND ESTABLISH TIMETABLES FOR THE ACHIEVEMENT OF THE OBJECTIVES;

36 (2) EXPLAIN HOW THE OBJECTIVES ARE CONSISTENT WITH AND
37 FURTHER THE PURPOSES OF THIS SUBTITLE;

7

1 (3) DEVELOP A STRATEGY FOR THE EXPANSION AND ENHANCEMENT
2 OF THE STATEWIDE NETWORK OF CENTERS FOR INDEPENDENT LIVING;

3 (4) DESCRIBE THE PURPOSE, EXTENT, AND SCOPE OF INDEPENDENT
4 LIVING SERVICES AND PROGRAMS;

5 (5) SET THE PRIORITIES FOR EXPENDITURE OF STATE FUNDS
6 ALLOCATED FOR THE PURPOSES DESCRIBED IN PARAGRAPHS (1), (3), AND (4) OF
7 THIS SUBSECTION; AND

8 (6) DESCRIBE EFFORTS TO COORDINATE FEDERAL AND STATE
9 FUNDING FOR CENTERS FOR INDEPENDENT LIVING AND INDEPENDENT LIVING
10 SERVICES AND PROGRAMS.

11 (D) THE STATE PLAN SHALL PROVIDE SATISFACTORY ASSURANCES THAT ALL
12 RECIPIENTS OF FINANCIAL ASSISTANCE WILL:

13 (1) NOTIFY ALL INDIVIDUALS SEEKING OR RECEIVING SERVICES OF
14 THE AVAILABILITY OF THE CLIENT ASSISTANCE PROGRAM ESTABLISHED UNDER
15 THE REHABILITATION ACT OF 1973, AS AMENDED, THE PURPOSES OF THE SERVICES
16 PROVIDED UNDER THE PROGRAM, AND HOW TO CONTACT REPRESENTATIVES OF
17 THE PROGRAM;

18 (2) TAKE AFFIRMATIVE ACTION, UNDER THE REHABILITATION ACT OF
19 1973, AS AMENDED, AND THE AMERICANS WITH DISABILITIES ACT OF 1990, AS
20 AMENDED, TO EMPLOY AND ADVANCE IN EMPLOYMENT, QUALIFIED INDIVIDUALS
21 WITH DISABILITIES;

22 (3) ADOPT FISCAL CONTROL AND FUND ACCOUNTING PROCEDURES
23 NECESSARY TO ENSURE THE PROPER DISBURSEMENT OF, AND ACCOUNTING FOR,
24 FUNDS RECEIVED FROM THE STATE UNDER THIS SUBTITLE; AND

25 (4) MAINTAIN ANY OTHER APPROPRIATE RECORDS TO FACILITATE AN
26 EFFECTIVE FINANCIAL AUDIT.

27 19-2006.

28 (A) THE HEAD OF THE DESIGNATED STATE UNIT, WITH THE APPROVAL OF
29 THE COUNCIL, SHALL DESIGNATE STATE AGENCIES ELIGIBLE TO RECEIVE FUNDS
30 ALLOTTED BY THE STATE FOR ESTABLISHMENT OF CENTERS FOR INDEPENDENT
31 LIVING.

32 (B) THE HEAD OF THE DESIGNATED STATE UNIT, WITH THE APPROVAL OF
33 THE COUNCIL, MAY MAKE A GRANT UNDER THIS SUBTITLE TO ANY DESIGNATED
34 ELIGIBLE AGENCY THAT:

35 (1) HAS THE POWER AND AUTHORITY TO CARRY OUT THE PURPOSES
36 OF THIS SUBTITLE;

37 (2) IS DETERMINED BY THE HEAD OF THE DESIGNATED STATE UNIT
38 AND THE COUNCIL TO BE ABLE TO PLAN, CONDUCT, ADMINISTER, AND EVALUATE A
39 CENTER FOR INDEPENDENT LIVING CONSISTENT WITH §§ 19-2008 AND 19-2009 OF
40 THIS SUBTITLE; AND

8

1 (3) SUBMITS AN APPLICATION TO THE COUNCIL AND THE HEAD OF THE
2 DESIGNATED STATE UNIT AS REQUIRED BY THE HEAD AND THE COUNCIL.

3 (C) THE DESIGNATED STATE UNIT SHALL AWARD GRANTS TO ANY ELIGIBLE
4 AGENCY THAT RECEIVED FUNDS FOR ESTABLISHMENT OF A CENTER FOR
5 INDEPENDENT LIVING ON JUNE 30, 1992, UNLESS THE HEAD OF THE AGENCY FAILS
6 TO COMPLY WITH §§ 19-2008 AND 19-2009 OF THIS SUBTITLE.

7 (D) (1) SUBJECT TO THE AVAILABILITY OF FEDERAL AND STATE FUNDS,
8 THE MINIMUM ANNUAL ALLOCATION FOR EACH CENTER FOR INDEPENDENT
9 LIVING SHALL BE \$200,000 IN FEDERAL AND STATE FUNDS.

10 (2) PRIORITY FOR DISTRIBUTION OF STATE FUNDS SHALL BE AS
11 FOLLOWS:

12 (I) EXISTING STATE-FUNDED CENTERS FOR INDEPENDENT
13 LIVING;

14 (II) CENTERS FOR INDEPENDENT LIVING FUNDED THROUGH THE
15 REHABILITATION ACT OF 1973, AS AMENDED, WHICH RECEIVE LESS THAN THE
16 MINIMUM ANNUAL ALLOCATION; AND

17 (III) NEW CENTERS FOR INDEPENDENT LIVING PLANNED BY THE
18 COUNCIL.

19 (E) IF THE COUNCIL DETERMINES THAT THERE IS NO CENTER FOR
20 INDEPENDENT LIVING SERVING A GEOGRAPHIC REGION OF THIS STATE OR THAT A
21 REGION IS UNDERSERVED AND THE STATE APPROPRIATION FOR THE YEAR IS
22 SUFFICIENT TO SUPPORT AN ADDITIONAL CENTER FOR INDEPENDENT LIVING
23 WITHIN THE STATE, THE COUNCIL AND THE HEAD OF THE DESIGNATED STATE UNIT
24 MAY AWARD A GRANT UNDER THIS SECTION TO THE MOST QUALIFIED APPLICANT,
25 CONSISTENT WITH PROVISIONS OF THE STATE PLAN THAT RELATE TO
26 ESTABLISHMENT OF A STATEWIDE NETWORK OF CENTERS FOR INDEPENDENT
27 LIVING.

28 19-2007.

29 EACH CENTER FOR INDEPENDENT LIVING THAT RECEIVES ASSISTANCE UNDER
30 THIS SUBTITLE SHALL COMPLY WITH THE STANDARDS PROVIDED IN § 19-2008 OF
31 THIS SUBTITLE IN ORDER TO ENSURE THAT ALL PROGRAMS AND ACTIVITIES ARE
32 PLANNED, CONDUCTED, ADMINISTERED, AND EVALUATED IN A MANNER
33 CONSISTENT WITH THIS SUBTITLE.

34 19-2008.

35 (A) EACH CENTER FOR INDEPENDENT LIVING SHALL PROMOTE AND
36 PRACTICE THE INDEPENDENT LIVING PHILOSOPHY OF:

37 (1) CONSUMER CONTROL OF THE CENTER FOR INDEPENDENT LIVING,
38 REGARDING DECISION MAKING, SERVICE DELIVERY, MANAGEMENT AND
39 ESTABLISHMENT OF THE POLICY, AND STRATEGIC DIRECTION OF THE CENTER FOR
40 INDEPENDENT LIVING;

9

1 (2) SELF-HELP AND SELF-ADVOCACY;

2 (3) DEVELOPMENT OF PEER RELATIONS AND PEER ROLE MODELS; AND

3 (4) EQUAL ACCESS OF INDIVIDUALS WITH DISABILITIES TO SOCIETY
4 AND ALL PUBLIC AND PRIVATE SERVICES, PROGRAMS, ACTIVITIES, RESOURCES,
5 AND FACILITIES, REGARDLESS OF THE FUNDING SOURCE.

6 (B) (1) EACH CENTER FOR INDEPENDENT LIVING SHALL PROVIDE SERVICES
7 TO INDIVIDUALS WITH A RANGE OF DISABILITIES, INCLUDING INDIVIDUALS WITH
8 DISABILITIES WHO ARE MEMBERS OF POPULATIONS THAT ARE UNSERVED OR
9 UNDERSERVED.

10 (2) ELIGIBILITY FOR SERVICES AT ANY CENTER FOR INDEPENDENT
11 LIVING MAY NOT TYPICALLY BE BASED ON THE PRESENCE OF ANY ONE OR MORE
12 SPECIFIC DISABILITIES.

13 (C) EACH CENTER FOR INDEPENDENT LIVING SHALL:

14 (1) FACILITATE THE DEVELOPMENT AND ACHIEVEMENT OF
15 INDEPENDENT LIVING GOALS SELECTED BY INDIVIDUALS WHO SEEK ASSISTANCE
16 FROM THE CENTER FOR INDEPENDENT LIVING;

17 (2) WORK TO INCREASE THE AVAILABILITY AND IMPROVE THE
18 QUALITY OF COMMUNITY OPTIONS FOR INDEPENDENT LIVING IN ORDER TO
19 FACILITATE THE DEVELOPMENT AND ACHIEVEMENT OF INDEPENDENT LIVING
20 GOALS BY INDIVIDUALS WITH DISABILITIES;

21 (3) PROVIDE INDEPENDENT LIVING CORE SERVICES AND, AS
22 APPROPRIATE, A COMBINATION OF OTHER INDEPENDENT LIVING SERVICES;

23 (4) CONDUCT ACTIVITIES TO INCREASE THE CAPACITY OF
24 COMMUNITIES WITHIN THE SERVICE AREA OF THE CENTER FOR INDEPENDENT
25 LIVING TO MEET THE NEEDS OF INDIVIDUALS WITH DISABILITIES;

26 (5) SUPPORT AND PARTICIPATE IN NATIONAL, STATE, AND LOCAL
27 COALITION BUILDING AMONG INDEPENDENT LIVING CENTERS AND
28 ORGANIZATIONS REPRESENTING INDIVIDUALS WITH DISABILITIES; AND

29 (6) CONDUCT RESOURCE DEVELOPMENT ACTIVITIES TO OBTAIN
30 FUNDING FROM SOURCES OTHER THAN SOURCES PROVIDED FOR UNDER THIS
31 SUBTITLE.

32 19-2009.

33 A CENTER FOR INDEPENDENT LIVING SHALL PROVIDE SATISFACTORY
34 ASSURANCES THAT:

35 (1) THE CENTER FOR INDEPENDENT LIVING IS AN ELIGIBLE AGENCY;

36 (2) THE CENTER FOR INDEPENDENT LIVING WILL BE DESIGNED AND
37 OPERATED LOCALLY BY INDIVIDUALS WITH DISABILITIES, INCLUDING AN
38 ASSURANCE THAT ITS BOARD SHALL BE THE PRINCIPAL GOVERNING BODY OF THE

10

1 CENTER FOR INDEPENDENT LIVING AND A MAJORITY OF THE BOARD SHALL BE
2 COMPOSED OF INDIVIDUALS WITH DISABILITIES;

3 (3) THE CENTER FOR INDEPENDENT LIVING WILL COMPLY WITH THE
4 STANDARDS PROVIDED IN § 19-2008 OF THIS SUBTITLE;

5 (4) THE CENTER FOR INDEPENDENT LIVING SHALL ESTABLISH CLEAR
6 PRIORITIES THROUGH AN ANNUAL PLAN, THE 3-YEAR PLAN REQUIRED BY THE
7 STATE PLAN, AND FINANCIAL PLANNING OBJECTIVES, INCLUDING:

8 (I) OVERALL GOALS OR MISSIONS FOR THE CENTER FOR
9 INDEPENDENT LIVING;

10 (II) A WORK PLAN FOR ACHIEVING THE GOALS OR MISSIONS,
11 SPECIFIC OBJECTIVES, SERVICES PRIORITIES, AND TYPES OF SERVICES TO BE
12 PROVIDED; AND

13 (III) A DESCRIPTION THAT SHALL DEMONSTRATE HOW THE
14 PROPOSED ACTIVITIES OF THE CENTER FOR INDEPENDENT LIVING ARE
15 CONSISTENT WITH THE MOST RECENT 3-YEAR STATE PLAN;

16 (5) THE CENTER FOR INDEPENDENT LIVING WILL USE SOUND
17 ORGANIZATIONAL, PERSONNEL ASSIGNMENT PRACTICES, INCLUDING TAKING
18 AFFIRMATIVE ACTION TO EMPLOY AND ADVANCE IN EMPLOYMENT QUALIFIED
19 INDIVIDUALS WITH DISABILITIES UNDER THE REHABILITATION ACT OF 1973, AS
20 AMENDED, AND THE AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED;

21 (6) THE CENTER FOR INDEPENDENT LIVING WILL ENSURE THAT THE
22 MAJORITY OF ITS STAFF AND INDIVIDUALS IN DECISION-MAKING POSITIONS ARE
23 INDIVIDUALS WITH DISABILITIES;

24 (7) THE CENTER FOR INDEPENDENT LIVING WILL PRACTICE SOUND
25 FISCAL MANAGEMENT, INCLUDING MAKING ARRANGEMENTS FOR AN ANNUAL
26 INDEPENDENT FISCAL AUDIT;

27 (8) THE CENTER FOR INDEPENDENT LIVING WILL CONDUCT ANNUAL
28 SELF-EVALUATIONS, PREPARE AN ANNUAL REPORT, AND MAINTAIN RECORDS
29 ADEQUATE TO MEASURE PERFORMANCE REGARDING:

30 (I) THE EXTENT TO WHICH THE CENTER FOR INDEPENDENT
31 LIVING COMPLIES WITH § 19-2008 OF THIS SUBTITLE;

32 (II) THE NUMBERS AND TYPES OF INDIVIDUALS WITH
33 DISABILITIES RECEIVING SERVICES THROUGH THE CENTER FOR INDEPENDENT
34 LIVING;

35 (III) THE TYPES OF SERVICES PROVIDED THROUGH THE CENTER
36 FOR INDEPENDENT LIVING AND THE NUMBER OF INDIVIDUALS WITH DISABILITIES
37 RECEIVING EACH TYPE OF SERVICE;

38 (IV) THE SOURCE AND AMOUNTS OF FUNDING FOR THE
39 OPERATION OF THE CENTER FOR INDEPENDENT LIVING;

11

1 (V) THE NUMBER OF INDIVIDUALS WITH DISABILITIES WHO ARE
2 EMPLOYED BY THE CENTER FOR INDEPENDENT LIVING AND THE NUMBER OF
3 INDIVIDUALS WITH DISABILITIES WHO ARE IN MANAGEMENT AND DECISION
4 MAKING POSITIONS; AND

5 (VI) A COMPARISON, WHEN APPROPRIATE, OF THE ACTIVITIES OF
6 THE CENTER FOR INDEPENDENT LIVING IN PRIOR YEARS, WITH THE ACTIVITIES OF
7 THE CENTER FOR INDEPENDENT LIVING IN THE MOST RECENT YEAR;

8 (9) INDIVIDUALS WITH SEVERE DISABILITIES WHO ARE SEEKING TO
9 RECEIVE SERVICES FROM THE CENTER FOR INDEPENDENT LIVING WILL BE
10 NOTIFIED BY THE CENTER FOR INDEPENDENT LIVING ABOUT THE CLIENT
11 ASSISTANCE PROGRAM;

12 (10) AGGRESSIVE OUTREACH, REGARDING SERVICES PROVIDED
13 THROUGH THE CENTER FOR INDEPENDENT LIVING, WILL BE CONDUCTED IN AN
14 EFFORT TO REACH POPULATIONS OF INDIVIDUALS WITH DISABILITIES THAT ARE
15 UNSERVED OR UNDERSERVED BY PROGRAMS UNDER THIS SUBTITLE, ESPECIALLY
16 MINORITY GROUPS AND URBAN AND RURAL POPULATIONS;

17 (11) STAFF AT CENTERS FOR INDEPENDENT LIVING WILL RECEIVE
18 TRAINING ON HOW TO SERVE UNSERVED AND UNDERSERVED POPULATIONS,
19 INCLUDING MINORITY GROUPS AND URBAN AND RURAL POPULATIONS;

20 (12) AT THE END OF EACH FISCAL YEAR, THE CENTER FOR
21 INDEPENDENT LIVING WILL SUBMIT TO THE COUNCIL A COPY OF ITS APPROVED
22 GRANT APPLICATION AND THE ANNUAL REPORT REQUIRED UNDER PARAGRAPH (8)
23 OF THIS SUBSECTION; AND

24 (13) EACH INDIVIDUAL RECEIVING INDEPENDENT LIVING SERVICES HAS
25 AN INDEPENDENT LIVING PLAN, IF REQUESTED BY THE INDIVIDUAL.

26 19-2010.

27 FROM APPROPRIATED SUMS AND FUNDS ALLOCATED FOR INDEPENDENT
28 LIVING CENTERS UNDER THE STATE PLAN, THE COUNCIL AND THE DESIGNATED
29 STATE UNIT MAY ALLOCATE FUNDS TO:

30 (1) DEMONSTRATE WAYS TO EXPAND AND IMPROVE INDEPENDENT
31 LIVING SERVICES;

32 (2) SUPPORT THE OPERATION OF CENTERS FOR INDEPENDENT LIVING;

33 (3) SUPPORT ACTIVITIES TO INCREASE THE CAPACITIES OF CENTERS
34 FOR INDEPENDENT LIVING TO DEVELOP COMPREHENSIVE APPROACHES OR
35 SYSTEMS FOR PROVIDING INDEPENDENT LIVING SERVICES;

36 (4) CONDUCT STUDIES AND ANALYSES, GATHER INFORMATION,
37 DEVELOP MODEL POLICIES AND PROCEDURES, AND PRESENT INFORMATION,
38 APPROACHES, STRATEGIES, FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS TO
39 POLICY MAKERS IN ORDER TO ENHANCE INDEPENDENT LIVING SERVICES FOR
40 INDIVIDUALS WITH DISABILITIES;

12

1 (5) TRAIN INDIVIDUALS WITH DISABILITIES AND INDIVIDUALS
2 PROVIDING SERVICES TO INDIVIDUALS WITH DISABILITIES AND OTHER
3 INDIVIDUALS REGARDING THE INDEPENDENT LIVING PHILOSOPHY; AND

4 (6) PROVIDE OUTREACH TO POPULATIONS THAT ARE UNSERVED OR
5 UNDERSERVED BY PROGRAMS UNDER THIS SUBTITLE, INCLUDING MINORITY
6 GROUPS AND URBAN AND RURAL POPULATIONS.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
8 members of the Maryland Statewide Independent Living Services Council shall expire as
9 follows:

10 (1) one-third of the members in 2000;

11 (2) one-third of the members in 1999; and

12 (3) one-third of the members in 1998.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 1997.