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**By: Delegates Owings, Leopold, and Hubbard**

Introduced and read first time: February 12, 1997

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Independent Living Services Act**

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

13 BY adding to

14 Article - Health - General  
15 Section 19-2001 through 19-2011, inclusive, to be under the new subtitle "Subtitle  
16 20. Independent Living Services"  
17 Annotated Code of Maryland  
18 (1996 Replacement Volume and 1996 Supplement)

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

21 **Article - Health - General**

22 SUBTITLE 20. INDEPENDENT LIVING SERVICES.

23 19-2001.

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

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

29 (1) IS DESIGNED AND OPERATED WITHIN A LOCAL COMMUNITY BY  
30 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 COUNCIL ESTABLISHED BY THIS SUBTITLE AND 29 U.S.C. 796D.

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 PLAN FOR INDEPENDENT LIVING IN  
27 ACCORDANCE WITH 29 U.S.C. 796B.

28 19-2002.

29 SERVICES MAY BE PROVIDED UNDER THIS SUBTITLE TO:

30 (1) ANY INDIVIDUAL WITH A DISABILITY;

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

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

34 19-2003.

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

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1 (2) THE COUNCIL SHALL BE THE SAME COUNCIL ESTABLISHED AS  
2 REQUIRED BY 29 U.S.C. 796D.

3 (3) THE COUNCIL SHALL BE AN INDEPENDENT ENTITY NOT WITHIN ANY  
4 OTHER STATE AGENCY IN ACCORDANCE WITH 29 U.S.C. 796D(A).

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

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

11 (2) THE MEMBERS OF THE COUNCIL SHALL:

12 (I) PROVIDE STATEWIDE REPRESENTATION;

13 (II) REPRESENT A BROAD RANGE OF INDIVIDUALS WITH  
14 DISABILITIES; AND

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

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

19 (I) A MAJORITY OF INDIVIDUALS WITH DISABILITIES WHO ARE  
20 NOT STATE EMPLOYEES;

21 (II) ALL OF THE EXECUTIVE DIRECTORS OF THE CENTERS FOR  
22 INDEPENDENT LIVING IN THE STATE; AND

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

24 1. A REPRESENTATIVE FROM THE DESIGNATED STATE  
25 UNIT; AND

26 2. REPRESENTATIVES FROM OTHER STATE AGENCIES THAT  
27 PROVIDE SERVICES FOR INDIVIDUALS WITH DISABILITIES.

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

31 (I) OTHER REPRESENTATIVES FROM CENTERS FOR INDEPENDENT  
32 LIVING;

33 (II) PARENTS AND GUARDIANS OF INDIVIDUALS WITH  
34 DISABILITIES;

35 (III) REPRESENTATIVES OF ADVOCACY ORGANIZATIONS;

36 (IV) REPRESENTATIVES FROM PRIVATE BUSINESSES;

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1 (V) REPRESENTATIVES FROM ORGANIZATIONS THAT PROVIDE  
2 SERVICES FOR INDIVIDUALS WITH DISABILITIES; AND

3 (VI) ANY OTHER INDIVIDUALS THE GOVERNOR CONSIDERS  
4 APPROPRIATE.

5 (D) (1) THE COUNCIL SHALL SELECT A CHAIRPERSON AND OTHER  
6 OFFICERS FROM AMONG THE MEMBERS OF THE COUNCIL.

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

10 (II) CONSISTENT WITH STATE LAW, THE COUNCIL SHALL  
11 SUPERVISE AND EVALUATE ITS EXECUTIVE DIRECTOR AND ANY OTHER STAFF AND  
12 OTHER PERSONNEL AS MAY BE NECESSARY TO CARRY OUT THE FUNCTIONS OF THE  
13 COUNCIL IN ACCORDANCE WITH 29 U.S.C. 796D(E)(2).

14 (E) (1) THE TERM OF A MEMBER OF THE COUNCIL IS 3 YEARS AND BEGINS  
15 ON OCTOBER 1.

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

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

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

22 (5) THE GOVERNOR MAY REMOVE A MEMBER FOR INCOMPETENCE OR  
23 MISCONDUCT.

24 (6) (I) AN EXECUTIVE DIRECTOR OF A CENTER FOR INDEPENDENT  
25 LIVING MAY SERVE ON THE COUNCIL FOR NO MORE THAN 2 CONSECUTIVE 3-YEAR  
26 TERMS.

27 (II) WHEN A VACANCY ARISES BECAUSE AN EXECUTIVE DIRECTOR  
28 OF A CENTER FOR INDEPENDENT LIVING HAS SERVED THE MAXIMUM NUMBER OF  
29 TERMS, THE GOVERNOR SHALL APPOINT ANOTHER REPRESENTATIVE OF THAT  
30 CENTER FOR INDEPENDENT LIVING.

31 (7) ANY VACANCY OCCURRING IN THE MEMBERSHIP OF THE COUNCIL  
32 SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT AND MAY  
33 NOT AFFECT THE POWER OF THE REMAINING MEMBERS TO EXECUTE THE DUTIES  
34 OF THE COUNCIL.

35 (8) THE TERMS OF MEMBERS ARE STAGGERED.

36 19-2004.

37 (A) THE COUNCIL SHALL:

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1 (1) DEVELOP AND SUBMIT, IN CONJUNCTION WITH THE DESIGNATED  
2 STATE UNIT, THE STATE PLAN REQUIRED BY THIS SUBTITLE AND 29 U.S.C. 796C;

3 (2) MONITOR, REVIEW, AND EVALUATE THE IMPLEMENTATION OF THE  
4 STATE PLAN;

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

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

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

13 (B) THE COUNCIL IS AUTHORIZED TO MAKE REGULATIONS CONSISTENT  
14 WITH THIS SUBTITLE.

15 19-2005.

16 (A) THE COUNCIL AND THE DESIGNATED STATE UNIT SHALL DEVELOP A  
17 STATE PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF 29 U.S.C. 796 IN ORDER  
18 TO RECEIVE FINANCIAL ASSISTANCE.

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

23 (I) DEVELOPMENT AND SUPPORT OF A STATEWIDE NETWORK OF  
24 CENTERS FOR INDEPENDENT LIVING;

25 (II) PROVISION OF STATEWIDE INDEPENDENT LIVING SERVICES;  
26 AND

27 (III) ESTABLISHMENT OF WORKING RELATIONSHIPS BETWEEN:

28 1. PROGRAMS PROVIDING INDEPENDENT LIVING SERVICES  
29 AND INDEPENDENT LIVING CENTERS; AND

30 2. THE VOCATIONAL REHABILITATION PROGRAM  
31 ESTABLISHED UNDER THE REHABILITATION ACT OF 1973, AS AMENDED, AND OTHER  
32 PROGRAMS PROVIDING SERVICES TO INDIVIDUALS WITH DISABILITIES.

33 (2) THE STATE PLAN SHALL INCLUDE A METHOD FOR THE PERIODIC  
34 EVALUATION OF THE EFFECTIVENESS OF THE STATE PLAN IN MEETING THE  
35 OBJECTIVES ESTABLISHED, INCLUDING EVALUATION OF SATISFACTION BY  
36 INDIVIDUALS WITH DISABILITIES.

37 (C) THE STATE PLAN SHALL:

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

3 (2) EXPLAIN HOW THE OBJECTIVES ARE CONSISTENT WITH AND  
4 FURTHER THE PURPOSES OF THIS SUBTITLE AND 29 U.S.C. 796;

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

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

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

12 (6) DESCRIBE EFFORTS TO COORDINATE FEDERAL AND STATE  
13 FUNDING FOR CENTERS FOR INDEPENDENT LIVING AND INDEPENDENT LIVING  
14 SERVICES AND PROGRAMS.

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

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

22 (2) TAKE AFFIRMATIVE ACTION, UNDER THE REHABILITATION ACT OF  
23 1973, AS AMENDED, AND THE AMERICANS WITH DISABILITIES ACT OF 1990, AS  
24 AMENDED, TO EMPLOY AND ADVANCE IN EMPLOYMENT, QUALIFIED INDIVIDUALS  
25 WITH DISABILITIES;

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

29 (4) MAINTAIN ANY OTHER APPROPRIATE RECORDS TO FACILITATE AN  
30 EFFECTIVE FINANCIAL AUDIT.

31 19-2006.

32 (A) THE COUNCIL AND THE HEAD OF THE DESIGNATED STATE UNIT SHALL  
33 DESIGNATE ORGANIZATIONS ELIGIBLE TO RECEIVE FUNDS ALLOTTED BY THE  
34 STATE FOR ESTABLISHMENT OF CENTERS FOR INDEPENDENT LIVING.

35 (B) THE COUNCIL AND THE HEAD OF THE DESIGNATED STATE UNIT MAY  
36 MAKE A GRANT UNDER THIS SUBTITLE TO ANY DESIGNATED ELIGIBLE  
37 ORGANIZATION THAT:

38 (1) HAS THE POWER AND AUTHORITY TO CARRY OUT THE PURPOSES  
39 OF THIS SUBTITLE OR 29 U.S.C. 796;

8

1 (2) IS DETERMINED BY THE COUNCIL AND THE HEAD OF THE  
2 DESIGNATED STATE UNIT TO BE ABLE TO PLAN, CONDUCT, ADMINISTER, AND  
3 EVALUATE A CENTER FOR INDEPENDENT LIVING CONSISTENT WITH §§ 19-2008 AND  
4 19-2009 OF THIS SUBTITLE AND 29 U.S.C. 796; AND

5 (3) SUBMITS AN APPLICATION TO THE COUNCIL AND THE HEAD OF THE  
6 DESIGNATED STATE UNIT AS REQUIRED BY THE COUNCIL AND THE HEAD OF THE  
7 DESIGNATED STATE UNIT.

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

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

13 (I) EXISTING FEDERAL OR STATE FUNDED CENTERS FOR  
14 INDEPENDENT LIVING;

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

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

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

29 19-2007.

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

35 19-2008.

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

38 (1) CONSUMER CONTROL OF THE CENTER FOR INDEPENDENT LIVING,  
39 REGARDING DECISION MAKING, SERVICE DELIVERY, MANAGEMENT AND  
40 ESTABLISHMENT OF THE POLICY, AND STRATEGIC DIRECTION OF THE CENTER FOR  
41 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  
7 SERVICES TO INDIVIDUALS WITH A RANGE OF DISABILITIES, INCLUDING  
8 INDIVIDUALS WITH DISABILITIES WHO ARE MEMBERS OF POPULATIONS THAT ARE  
9 UNSERVED OR 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  
36 ORGANIZATION;

37 (2) THE CENTER FOR INDEPENDENT LIVING WILL BE DESIGNED AND  
38 OPERATED LOCALLY BY INDIVIDUALS WITH DISABILITIES, INCLUDING AN  
39 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 19-2011.

8 THIS SUBTITLE MAY BE CITED AS THE MARYLAND INDEPENDENT LIVING  
9 SERVICES ACT.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 1997.