

HOUSE BILL 210

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1998 Regular Session  
8lr6136

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By: **Chairman, Ways and Means Committee (Departmental - Education)**

Introduced and read first time: January 23, 1998

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Community Rehabilitation Programs**

3 FOR the purpose of altering certain terms to be consistent with changes in federal  
4 laws; eliminating obsolete language; and generally relating to education and  
5 adult rehabilitation.

6 BY repealing and reenacting, with amendments,  
7 Article - Education  
8 Section 21-303, 21-401, 21-403, and 21-404  
9 Annotated Code of Maryland  
10 (1997 Replacement Volume and 1997 Supplement)

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

13 **Article - Education**

14 21-303.

15 (a) There is an Employment Program Fund in the Division of Rehabilitation  
16 Services in the State Department of Education.

17 (b) Funds for the Employment Program Fund established under this section  
18 shall be included in the budget of the Division of Rehabilitation Services in the State  
19 Department of Education.

20 (c) A community rehabilitation and employment agency accredited by the  
21 Division of Rehabilitation Services in the State Department of Education is eligible to  
22 receive funds available in the Employment Program Fund established under this  
23 section.

24 (d) The Division of Rehabilitation Services may contract with nonprofit  
25 rehabilitation and employment agencies to provide the funds established under this  
26 section for:

27 (1) Supported employment placements;

1 (2) Competitive work placements; OR

2 (3) Transitional employment[; or

3 (4) Sheltered employment].

4 (e) The Division of Rehabilitation Services shall adopt regulations to  
5 implement the provisions of this section.

6 21-401.

7 (a) In this subtitle the following words have the meanings indicated.

8 (b) ["Disabled individual"] "INDIVIDUAL WITH DISABILITIES" means an  
9 individual who:

10 (1) Has a severe physical or mental disability that seriously limits his  
11 mobility, communication, work tolerance, work skills, and ability to care for and direct  
12 himself, and function generally;

13 (2) Can be expected to require multiple rehabilitation services over an  
14 extended period of time; and

15 (3) Whose disability is determined by an evaluation of rehabilitation  
16 potential to cause substantial functional limitation.

17 (c) ["Sheltered workshop"] "COMMUNITY REHABILITATION PROGRAM" means  
18 a work oriented place or facility operated on a nonprofit basis that[:

19 (1) Is] IS operated principally to provide:

20 [(i)] (1) Suitable work, training, or retraining [in manufacture or  
21 handiwork] to [disabled] individuals WITH DISABILITIES who because of a disability  
22 cannot find gainful employment elsewhere; or

23 [(ii)] (2) Gainful employment to INDIVIDUALS WITH SEVERE  
24 DISABILITIES [severely disabled or mentally retarded individuals; and

25 (2) Except for its staff, employs only disabled individuals].

26 21-403.

27 (a) The Division of Rehabilitation Services shall maintain a register of private  
28 nonprofit agencies or organizations it considers qualified to provide [sheltered  
29 workshop] COMMUNITY REHABILITATION PROGRAM employment for [disabled]  
30 individuals WITH DISABILITIES.

31 (b) Before it registers any organization or agency, the Division of  
32 Rehabilitation Services shall inspect [the sheltered workshop facilities] COMMUNITY  
33 REHABILITATION PROGRAMS to determine if:

- 1           (1)     They are appropriate;
- 2           (2)     The agency or organization is eligible to receive funds under this  
3 subtitle; and
- 4           (3)     The [facilities] PROGRAMS meet the standards for [sheltered  
5 workshops] COMMUNITY REHABILITATION PROGRAMS accepted by the  
6 Rehabilitation Services Administration of the federal Department of Education.
- 7 21-404.
- 8     The Division of Rehabilitation Services may contract with any approved agency  
9 or organization to provide programs and services set forth in § 21-303(d) of this title  
10 to any [disabled individual] INDIVIDUAL WITH DISABILITIES if the Division is  
11 satisfied that the individual:
- 12           (1)     Is at least 17 years old;
- 13           (2)     Cannot find employment in the open labor market; and
- 14           (3)     May be expected to benefit from the programs and services set forth  
15 in § 21-303(d) of this title or that the individual's best interests require this type of  
16 employment.

17     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
18 effect October 1, 1998.