

HOUSE BILL 210

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1998 Regular Session
8lr6136

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

Introduced and read first time: January 23, 1998

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 1998

CHAPTER _____

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

1 receive funds available in the Employment Program Fund established under this
2 section.

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

6 (1) Supported employment placements;

7 (2) Competitive work placements; OR

8 (3) Transitional employment[; or

9 (4) Sheltered employment].

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

12 21-401.

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

14 (b) ["Disabled individual"] "INDIVIDUAL WITH DISABILITIES" means an
15 individual who:

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

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

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

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

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

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

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

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

1 21-403.

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

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

9 (1) They are appropriate;

10 (2) The agency or organization is eligible to receive funds under this
11 subtitle; and

12 (3) The [facilities] PROGRAMS meet the standards for [sheltered
13 workshops] COMMUNITY REHABILITATION PROGRAMS accepted by the
14 Rehabilitation Services Administration of the federal Department of Education.

15 21-404.

16 The Division of Rehabilitation Services may contract with any approved agency
17 or organization to provide programs and services set forth in § 21-303(d) of this title
18 to any [disabled individual] INDIVIDUAL WITH DISABILITIES if the Division is
19 satisfied that the individual:

20 (1) Is at least 17 years old;

21 (2) Cannot find employment in the open labor market; and

22 (3) May be expected to benefit from the programs and services set forth
23 in § 21-303(d) of this title or that the individual's best interests require this type of
24 employment.

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