

SENATE BILL 50

Unofficial Copy
O2

2000 Regular Session
0lr0085

(PRE-FILED)

By: **Chairman, Finance Committee (Departmental - Aging)**

Requested: November 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Discount Card Programs - Operation**

3 FOR the purpose of repealing the requirement that the Secretary of Aging operate a
4 "Golden Age Card" Program for individuals who are 65 years of age or older or
5 disabled; requiring the Office for Individuals with Disabilities to operate a
6 "Disability Access Card" Program for individuals who are disabled; and
7 generally relating to operating discount card programs.

8 BY repealing
9 Article 70B - Department of Aging
10 Section 4(d)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 1999 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 70B - Department of Aging
15 Section 4(e)
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 1999 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - State Government
20 Section 9-1105
21 Annotated Code of Maryland
22 (1999 Replacement Volume)

23 BY adding to
24 Article - State Government
25 Section 9-1105.1
26 Annotated Code of Maryland
27 (1999 Replacement Volume)

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

3 **Article 70B - Department of Aging**

4 4.

5 [(d) (1) The Secretary shall establish a "Golden Age Card" Program and
6 provide a Golden Age Card to any resident of the State who applies to the Department
7 for a card and who is 65 years of age or older or disabled. The Secretary shall
8 encourage voluntary programs to provide assistance of any kind to card holders, and
9 encourage support and participation in them by all persons. Card holders shall be
10 entitled to any assistance granted to them by and through these voluntary programs,
11 the laws of this State, or ordinances or resolutions of political subdivisions; however,
12 this subsection does not require any person or organization to provide any assistance
13 to card holders. The Secretary shall establish and charge a fee of \$1 to accompany
14 application for a card.

15 (2) Before issuing a Golden Age Card to any person, the Secretary shall
16 establish the identity of the person who applies for a card and shall ascertain that the
17 person is eligible to receive the card. The Secretary shall adopt regulations to prevent
18 the issuance of cards to persons not eligible to have them. Cards shall contain the
19 signature of the card holder and any other information the Secretary considers
20 necessary to carry out the purposes of the Golden Age Card Program. Any card that
21 the Secretary issues may be held in perpetuity by the original card holder and may
22 not be transferable to any other person. A person who loses his card may obtain
23 another card from the Department upon providing the same information as was
24 required for the issuance of the original card.

25 (3) A card holder may not use a Golden Age Card except to obtain a
26 benefit to which the holder is entitled under the conditions of the offer.

27 (4) As used in this subsection, "disabled person" means a person who has
28 been certified as permanently and totally disabled by an agency of this State or the
29 United States having the function of so classifying persons.]

30 [(e) (D) With respect to assisted living programs, as defined under § 19-1801
31 of the Health - General Article, the Secretary shall:

32 (1) Develop assisted living programs for the elderly, in conjunction with
33 any public or private profit or nonprofit corporation or any State or federal agency;

34 (2) Make maximum use of rent and other subsidies available from
35 federal and State sources and provide for subsidies necessary from State general
36 funds to assist low income elderly individuals to reside in assisted living programs as
37 an alternative to more costly, but not required, institutional care;

38 (3) Find sponsors for assisted living programs;

1 (4) Assist developers in formulating design concepts and meeting
2 program needs;

3 (5) When necessary and in accordance with available funds, provide
4 subsidies for congregate meals, housekeeping, and personal services for assisted
5 living programs and develop eligibility requirements in connection with these
6 subsidies;

7 (6) Adopt regulations governing eligibility requirements for subsidies;
8 and

9 (7) Review the compliance of assisted living programs with the
10 regulations adopted by the Secretary of Health and Mental Hygiene for licensing
11 these programs to operate in the State.

12 **Article - State Government**

13 9-1105.

14 The Office shall:

15 (1) identify and evaluate the programs and services for individuals with
16 disabilities in the State;

17 (2) collect information to identify programs and services that individuals
18 with disabilities need;

19 (3) identify barriers to the delivery of adequate services and recommend
20 procedures to remove the barriers;

21 (4) develop an information and referral service for programs and services
22 for individuals with disabilities;

23 (5) foster coordination of and support for public and private agencies
24 that provide programs and services to individuals with disabilities;

25 (6) promote the designation of local or regional offices to coordinate
26 services to individuals with disabilities;

27 (7) monitor and encourage State government compliance with laws and
28 policies affecting individuals with disabilities, and recommend changes on behalf of
29 individuals with disabilities;

30 (8) submit to the Governor and, subject to § 2-1246 of this article, to the
31 members of the General Assembly an annual report that:

32 (i) gives the status of these programs and services;

33 (ii) makes recommendations for more effective delivery of the
34 services; and

1 (iii) provides updated information on implementation by the Office
2 of the federal Americans with Disabilities Act;

3 (9) support the Council in performance of its duties; [and]

4 (10) annually recommend to the Department of Budget and Management
5 capital budget projects for inclusion in the capital budget to promote access to
6 State-owned facilities for individuals with disabilities; AND

7 (11) ESTABLISH A "DISABILITY ACCESS CARD" PROGRAM IN ACCORDANCE
8 WITH § 9-1105.1 OF THIS SUBTITLE.

9 9-1105.1.

10 (A) IN THIS SECTION, "DISABLED PERSON" MEANS A PERSON WHO HAS BEEN
11 CERTIFIED AS PERMANENTLY AND TOTALLY DISABLED BY AN AGENCY OF THE
12 STATE OR THE UNITED STATES HAVING THE FUNCTION OF SO CLASSIFYING
13 PERSONS.

14 (B) (1) THE DIRECTOR SHALL ESTABLISH A "DISABILITY ACCESS CARD"
15 PROGRAM AND PROVIDE A DISABILITY ACCESS CARD TO ANY RESIDENT OF THE
16 STATE WHO APPLIES TO THE DEPARTMENT FOR A CARD AND WHO IS DISABLED.

17 (2) (I) THE DIRECTOR SHALL ENCOURAGE VOLUNTARY PROGRAMS TO
18 PROVIDE ASSISTANCE OF ANY KIND TO CARD HOLDERS, AND ENCOURAGE SUPPORT
19 AND PARTICIPATION IN THEM BY ALL PERSONS.

20 (II) THIS SUBSECTION DOES NOT REQUIRE ANY PERSON OR
21 ORGANIZATION TO PROVIDE ANY ASSISTANCE TO CARD HOLDERS.

22 (C) CARD HOLDERS SHALL BE ENTITLED TO ANY ASSISTANCE GRANTED TO
23 THEM BY AND THROUGH VOLUNTARY PROGRAMS, THE LAWS OF THE STATE, OR
24 ORDINANCES OR RESOLUTIONS OF POLITICAL SUBDIVISIONS.

25 (D) THE DIRECTOR SHALL ESTABLISH AND CHARGE A FEE OF \$1 TO
26 ACCOMPANY APPLICATION FOR A CARD.

27 (E) (1) BEFORE ISSUING A DISABILITY ACCESS CARD TO ANY PERSON, THE
28 DIRECTOR SHALL ESTABLISH THE IDENTITY OF THE PERSON WHO APPLIES FOR A
29 CARD AND SHALL ASCERTAIN THAT THE PERSON IS ELIGIBLE TO RECEIVE THE CARD.

30 (2) CARDS SHALL CONTAIN THE SIGNATURE OF THE CARD HOLDER AND
31 ANY OTHER INFORMATION THE DIRECTOR CONSIDERS NECESSARY TO CARRY OUT
32 THE PURPOSES OF THE DISCOUNT CARD PROGRAM.

33 (3) ANY CARD THAT THE DIRECTOR ISSUES MAY BE HELD IN
34 PERPETUITY BY THE ORIGINAL CARD HOLDER AND MAY NOT BE TRANSFERABLE TO
35 ANY OTHER PERSON.

1 (4) A PERSON WHO LOSES HIS CARD MAY OBTAIN ANOTHER CARD FROM
2 THE OFFICE UPON PROVIDING THE SAME INFORMATION AS WAS REQUIRED FOR THE
3 ISSUANCE OF THE ORIGINAL CARD.

4 (F) A CARD HOLDER MAY NOT USE A DISABILITY ACCESS CARD EXCEPT TO
5 OBTAIN A BENEFIT TO WHICH THE HOLDER IS ENTITLED UNDER THE CONDITIONS
6 OF THE OFFER.

7 (G) THE DIRECTOR SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT
8 THE PROVISIONS OF THIS SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
10 effect October 1, 2000.