

SENATE BILL 50

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2000 Regular Session
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(PRE-FILED)

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

Requested: November 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 1, 2000

CHAPTER _____

1 AN ACT concerning

2 **Discount Assistance 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; prohibiting
7 the Director of the Office from charging a fee for a disability access card;
8 requiring the Director to adopt certain regulations; defining a certain term; and
9 generally relating to operating ~~discount~~ assistance card programs.

10 BY repealing
11 Article 70B - Department of Aging
12 Section 4(d)
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 1999 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 70B - Department of Aging
17 Section 4(e)
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - State Government
22 Section 9-1105

1 Annotated Code of Maryland
2 (1999 Replacement Volume)

3 BY adding to
4 Article - State Government
5 Section 9-1105.1
6 Annotated Code of Maryland
7 (1999 Replacement Volume)

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

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

11 4.

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

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

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

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

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

- 1 (1) Develop assisted living programs for the elderly, in conjunction with
2 any public or private profit or nonprofit corporation or any State or federal agency;
- 3 (2) Make maximum use of rent and other subsidies available from
4 federal and State sources and provide for subsidies necessary from State general
5 funds to assist low income elderly individuals to reside in assisted living programs as
6 an alternative to more costly, but not required, institutional care;
- 7 (3) Find sponsors for assisted living programs;
- 8 (4) Assist developers in formulating design concepts and meeting
9 program needs;
- 10 (5) When necessary and in accordance with available funds, provide
11 subsidies for congregate meals, housekeeping, and personal services for assisted
12 living programs and develop eligibility requirements in connection with these
13 subsidies;
- 14 (6) Adopt regulations governing eligibility requirements for subsidies;
15 and
- 16 (7) Review the compliance of assisted living programs with the
17 regulations adopted by the Secretary of Health and Mental Hygiene for licensing
18 these programs to operate in the State.

19

Article - State Government

20 9-1105.

21 The Office shall:

- 22 (1) identify and evaluate the programs and services for individuals with
23 disabilities in the State;
- 24 (2) collect information to identify programs and services that individuals
25 with disabilities need;
- 26 (3) identify barriers to the delivery of adequate services and recommend
27 procedures to remove the barriers;
- 28 (4) develop an information and referral service for programs and services
29 for individuals with disabilities;
- 30 (5) foster coordination of and support for public and private agencies
31 that provide programs and services to individuals with disabilities;
- 32 (6) promote the designation of local or regional offices to coordinate
33 services to individuals with disabilities;

1 (7) monitor and encourage State government compliance with laws and
 2 policies affecting individuals with disabilities, and recommend changes on behalf of
 3 individuals with disabilities;

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

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

7 (ii) makes recommendations for more effective delivery of the
 8 services; and

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

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

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

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

17 9-1105.1.

18 (A) IN THIS SECTION, "~~DISABLED PERSON INDIVIDUAL~~" MEANS ~~A PERSON AN~~
 19 ~~INDIVIDUAL WHO HAS BEEN CERTIFIED AS PERMANENTLY AND TOTALLY DISABLED~~
 20 ~~BY AN AGENCY A UNIT OF THE STATE OR THE UNITED STATES HAVING THE~~
 21 ~~FUNCTION OF SO CLASSIFYING PERSONS THAT CLASSIFIES DISABLED INDIVIDUALS.~~

22 (B) (1) ~~(I)~~ THE DIRECTOR SHALL ESTABLISH A "DISABILITY ACCESS CARD"
 23 PROGRAM. ~~AND~~

24 ~~(II)~~ THE DIRECTOR SHALL PROVIDE A DISABILITY ACCESS CARD TO
 25 ~~ANY RESIDENT OF AN APPLICANT WHO RESIDES IN THE STATE WHO APPLIES TO THE~~
 26 ~~DEPARTMENT FOR A CARD AND WHO IS A DISABLED INDIVIDUAL.~~

27 (2) (I) THE DIRECTOR SHALL ENCOURAGE VOLUNTARY PROGRAMS TO
 28 PROVIDE ASSISTANCE OF ANY KIND TO DISABILITY ACCESS CARD HOLDERS, ~~AND.~~

29 ~~(II)~~ THE DIRECTOR SHALL ENCOURAGE ALL PERSONS TO SUPPORT
 30 ~~AND PARTICIPATION IN THEM BY ALL PERSONS TO PARTICIPATE IN VOLUNTARY~~
 31 PROGRAMS OF ASSISTANCE TO DISABILITY ACCESS CARD HOLDERS.

32 ~~(H)~~ (3) THIS SUBSECTION DOES NOT REQUIRE ANY PERSON ~~OR~~
 33 ~~ORGANIZATION~~ TO PROVIDE ANY ASSISTANCE TO DISABILITY ACCESS CARD
 34 HOLDERS.

35 (C) DISABILITY ACCESS CARD HOLDERS SHALL BE ENTITLED TO ANY
 36 ASSISTANCE GRANTED TO THEM BY AND THROUGH VOLUNTARY PROGRAMS, THE

1 LAWS OF THE STATE, ~~OR AND~~ ORDINANCES OR RESOLUTIONS OF POLITICAL
2 SUBDIVISIONS OF THE STATE.

3 (D) THE DIRECTOR ~~SHALL ESTABLISH AND MAY NOT CHARGE A FEE OF \$1 TO~~
4 ~~ACCOMPANY APPLICATION FOR A~~ DISABILITY ACCESS CARD.

5 (E) (1) BEFORE ISSUING A DISABILITY ACCESS CARD TO ~~ANY PERSON AN~~
6 INDIVIDUAL, THE DIRECTOR SHALL ESTABLISH THE IDENTITY OF THE ~~PERSON~~
7 INDIVIDUAL WHO APPLIES FOR A DISABILITY ACCESS CARD AND SHALL ASCERTAIN
8 ~~THAT WHETHER THE PERSON~~ INDIVIDUAL IS ELIGIBLE TO RECEIVE ~~THE CARD A~~
9 DISABILITY ACCESS CARD.

10 (2) ~~CARDS A~~ DISABILITY ACCESS CARD SHALL CONTAIN THE SIGNATURE
11 OF THE CARD HOLDER AND ANY OTHER INFORMATION THE DIRECTOR CONSIDERS
12 NECESSARY TO CARRY OUT THE PURPOSES OF THE ~~DISCOUNT~~ DISABILITY ACCESS
13 CARD PROGRAM.

14 (3) ~~ANY A~~ DISABILITY ACCESS CARD ~~THAT THE DIRECTOR ISSUES~~
15 ISSUED BY THE DIRECTOR MAY BE HELD IN PERPETUITY BY THE ORIGINAL CARD
16 HOLDER AND ~~MAY IS~~ NOT BE TRANSFERABLE TO ANY OTHER PERSON.

17 (4) ~~A PERSON AN~~ INDIVIDUAL WHO LOSES ~~HIS A~~ DISABILITY ACCESS
18 CARD MAY OBTAIN ANOTHER DISABILITY ACCESS CARD FROM THE OFFICE ~~UPON ON~~
19 PROVIDING THE SAME INFORMATION AS WAS REQUIRED FOR THE ISSUANCE OF THE
20 ORIGINAL CARD.

21 (F) ~~A CARD A~~ DISABILITY ACCESS CARD HOLDER MAY NOT USE A DISABILITY
22 ACCESS CARD EXCEPT TO OBTAIN A BENEFIT TO WHICH THE HOLDER IS ENTITLED
23 UNDER THE CONDITIONS OF THE OFFER.

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

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