

SENATE BILL 567

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2001 Regular Session
1lr2197
CF 1lr1516

By: **Senators Frosh, Hollinger, Pinsky, and Ruben**

Introduced and read first time: February 2, 2001

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2001

CHAPTER_____

1 AN ACT concerning

2 **Maryland Caregivers Support Coordinating Council**

3 FOR the purpose of establishing the Maryland Caregivers Support Coordinating
4 Council; providing for the purpose of the Council; providing for the composition
5 of the Council and the appointment, compensation, and terms of Council
6 members; requiring the Department of Human Resources to provide certain
7 staff support to the Council; requiring the Council to gather certain information
8 from caregivers through certain methods; requiring the Council to develop and
9 distribute a handbook of certain caregiver services; requiring the Council to
10 review certain caregiver support programs; requiring the Council to develop a
11 model caregiver support program; requiring the Council to coordinate activities
12 of certain caregiver services; requiring the Council to conduct certain research;
13 requiring the Council to report to the General Assembly and the Governor on or
14 before a certain date; and generally relating to the Maryland Caregivers
15 Support Coordinating Council.

16 BY adding to
17 Article 88A - Department of Human Resources
18 Section 129A
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

21 Preamble

22 WHEREAS, Respite is the occasional, short-term, temporary relief or rest for
23 family caregivers who provide care for children or adults with developmental

1 disabilities, funtional disabilities, challenging behaviors, or age-related disorders and
2 diseases; and

3 WHEREAS, Supporting the efforts of families and caregivers to care for
4 individuals with special needs at home is efficient, cost effective, and humane; and

5 WHEREAS, Families receiving occasional caregiver support services are less
6 likely to request institutional care at public expense for an individual with special
7 needs; and

8 WHEREAS, Caregiver support services reduce family and caregiver stress,
9 enhance family and caregiver coping ability, and strengthen family ability to meet the
10 challenging demands of caring for individuals with special needs; and

11 WHEREAS, Caregiver support services reduce the risk of abuse and neglect of
12 children, senior citizens, and other vulnerable groups; and

13 WHEREAS, Coordinated, noncategorical caregiver support services must be
14 available locally to provide reliable short-term relief when it is needed by families
15 and caregivers regardless of where they live in Maryland; now, therefore,

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

18 **Article 88A - Department of Human Resources**

19 129A.

20 (A) (1) THERE IS A MARYLAND CAREGIVERS SUPPORT COORDINATING
21 COUNCIL IN THE DEPARTMENT OF HUMAN RESOURCES.

22 (2) THE PURPOSE OF THE COUNCIL IS TO COORDINATE STATEWIDE
23 PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF FAMILY CAREGIVER
24 SUPPORT SERVICES.

25 (B) (1) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS,
26 APPOINTED BY THE GOVERNOR:

27 (I) ~~ONE REPRESENTATIVE~~ TWO REPRESENTATIVES FROM THE
28 DEPARTMENT OF HUMAN RESOURCES;

29 (II) THREE REPRESENTATIVES FROM THE DEPARTMENT OF
30 HEALTH AND MENTAL HYGIENE;

31 (III) ONE REPRESENTATIVE FROM THE DEPARTMENT OF AGING;

32 (IV) ONE REPRESENTATIVE FROM AN AREA AGENCY ON AGING;

33 ~~(IV)~~ (V) ONE REPRESENTATIVE FROM THE GOVERNOR'S OFFICE
34 FOR INDIVIDUALS WITH DISABILITIES;

1 ~~(V)~~ (VI) ONE REPRESENTATIVE FROM THE MARYLAND RESPITE
2 CARE COALITION;
3 ~~(VI)~~ (VII) TWO CONSUMERS OF RESPITE SERVICES;
4 ~~(VII)~~ (VIII) THREE FAMILY CAREGIVERS; AND
5 ~~(VIII)~~ (IX) ~~THREE~~ TWO REPRESENTATIVES OF ORGANIZATIONS THAT
6 PROVIDE OR HAVE INTEREST OR EXPERTISE IN RESPITE SERVICES.

7 (2) IN APPOINTING MEMBERS TO THE COUNCIL, THE GOVERNOR, TO
8 THE EXTENT POSSIBLE, SHALL CONSIDER GROUPS REPRESENTING INDIVIDUALS
9 WITH:

10 (I) ALZHEIMER'S DISEASE AND RELATED DISORDERS;
11 (II) DEVELOPMENTAL DISABILITIES;
12 (III) PHYSICAL DISABILITIES;
13 (IV) CHRONIC ILLNESSES;
14 (V) MENTAL OR EMOTIONAL CONDITIONS THAT REQUIRE
15 SUPERVISION; AND
16 (VI) VULNERABILITY TO ABUSE OR NEGLECT.

17 (3) A MEMBER OF THE COUNCIL SHALL SERVE A 3-YEAR TERM AND MAY
18 BE REAPPOINTED.

19 (4) THE GOVERNOR SHALL APPOINT A CHAIRMAN OF THE COUNCIL
20 FROM AMONG THE MEMBERS.

21 (5) THE DEPARTMENT OF HUMAN RESOURCES SHALL PROVIDE STAFF
22 SUPPORT TO THE COUNCIL, INCLUDING AN INDIVIDUAL FROM THE DEPARTMENT TO
23 SERVE AS EXECUTIVE DIRECTOR OF THE COUNCIL.

24 (6) MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT
25 COMPENSATION EXCEPT THAT THE MEMBERS MAY BE REIMBURSED FOR EXPENSES
26 UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE
27 BUDGET.

28 (C) THE COUNCIL SHALL:

29 (1) SOLICIT AND GATHER CONCERNS OF CAREGIVERS BY CONDUCTING
30 SURVEYS, HOLDING PUBLIC HEARINGS, ESTABLISHING A TELEPHONE HOTLINE FOR
31 PUBLIC ACCESS, AND OTHER APPROPRIATE MEANS;

32 (2) DEVELOP AND DISTRIBUTE TO INTERESTED PARTIES A HANDBOOK
33 OF CURRENT RESPITE AND OTHER FAMILY CAREGIVER SERVICES AVAILABLE IN THE
34 STATE;

1 (3) REVIEW SUCCESSFUL RESPITE CARE PROGRAMS IN OTHER STATES;

2 (4) DEVELOP A MODEL FAMILY CAREGIVER SUPPORT PROGRAM THAT
3 INCORPORATES BEST PRACTICES FROM EXISTING PROGRAMS IN THE STATE AND IN
4 OTHER STATES;

5 (5) COORDINATE ACTIVITIES OF EXISTING AND PROPOSED FAMILY
6 CAREGIVER SUPPORT SERVICES AMONG THE STATE AND LOCAL PUBLIC AGENCIES;

7 (6) RESEARCH AVAILABLE FUNDING SOURCES AND EXPLORE
8 POSSIBILITIES FOR ADDITIONAL FUNDS; AND

9 (7) IDENTIFY UNMET NEEDS AND PRIORITIES FOR ADDITIONAL FUNDS.

10 (D) THE COUNCIL SHALL SUBMIT TO THE GOVERNOR AND, SUBJECT TO §
11 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN
12 ANNUAL REPORT ON ITS ACTIVITIES.

13 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
14 2002, the Council shall submit a report to the Governor and, subject to § 2-1246 of the
15 State Government Article, to the General Assembly with a plan of action for family
16 caregiver support services.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2001.