

HOUSE BILL 1014
EMERGENCY BILL

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03

2002 Regular Session
2lr2730
CF 2lr2435

By: **Delegates Shriver and Hurson**
Introduced and read first time: February 8, 2002
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 31, 2002

CHAPTER _____

1 AN ACT concerning

2 **Developmental Disabilities Administration - Supplemental Security**
3 **Income - Cost-of-Living Increase**

4 FOR the purpose of prohibiting the Developmental Disabilities Administration from
5 retaining cost-of-living increases in the Supplemental Security Income of
6 individuals receiving residential ~~or day program~~ services provided by the
7 Administration for a developmental disability; requiring the Administration to
8 add the cost-of-living increase to the individual's personal needs allowance;
9 defining a certain term; allowing the Administration to use certain funds from
10 the Waiting List Equity Fund for certain purposes; requiring the Administration
11 to reimburse a certain fund; providing for the termination of this Act; making
12 this Act an emergency measure; and generally relating to the Developmental
13 Disabilities Administration and the Supplemental Security Income increases
14 received by individuals with developmental disabilities.

15 BY repealing and reenacting, without amendments,
16 Article - Health - General
17 Section 7-101(a) and (b)
18 Annotated Code of Maryland
19 (2000 Replacement Volume and 2001 Supplement)

20 BY adding to
21 Article - Health - General
22 Section 7-1012
23 Annotated Code of Maryland
24 (2000 Replacement Volume and 2001 Supplement)

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

3 **Article - Health - General**

4 7-101.

5 (a) In this title the following words have the meanings indicated.

6 (b) "Administration" means the Developmental Disabilities Administration.

7 7-1012.

8 (A) IN THIS SECTION, "PERSONAL NEEDS ALLOWANCE" MEANS THE AMOUNT
9 PER MONTH THAT A PROVIDER MUST ALLOW AN INDIVIDUAL TO RETAIN FROM
10 ~~THEIR~~ THE INDIVIDUAL'S MONTHLY INCOME FOR PERSONAL NEEDS.

11 (B) IF AN INDIVIDUAL RECEIVING RESIDENTIAL ~~OR DAY PROGRAM~~ SERVICES
12 FOR A DEVELOPMENTAL DISABILITY RECEIVES A COST-OF-LIVING INCREASE TO
13 THE INDIVIDUAL'S SUPPLEMENTAL SECURITY INCOME, THE ADMINISTRATION MAY
14 NOT RETAIN THE COST-OF-LIVING INCREASE TO OFFSET THE COST OF SERVICES
15 BUT SHALL ADD IT TO THE INDIVIDUAL'S PERSONAL ~~NEED~~ NEEDS ALLOWANCE.

16 (C) THE ADMINISTRATION MAY USE FUNDS FROM THE WAITING LIST EQUITY
17 FUND ESTABLISHED UNDER § 7-206 OF THE HEALTH - GENERAL ARTICLE TO ALLOW
18 AN INDIVIDUAL'S SUPPLEMENTAL SECURITY INCOME COST-OF-LIVING INCREASE
19 TO BE ADDED TO THE INDIVIDUAL'S PERSONAL NEEDS ALLOWANCE.

20 (D) THE ADMINISTRATION SHALL REIMBURSE THE WAITING LIST EQUITY
21 FUND ON OR BEFORE JULY 30, 2002 FOR FUNDS USED UNDER THIS SECTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
23 emergency measure, is necessary for the immediate preservation of the public health
24 or safety, has been passed by a ye and nay vote supported by three-fifths of all the
25 members elected to each of the two Houses of the General Assembly, and shall take
26 effect from the date it is enacted. It shall remain effective through June 30, 2003, and,
27 at the end of June 30, 2003, with no further action required by the General Assembly,
28 this Act shall be abrogated and of no further force and effect.