

**SENATE BILL 658**  
**EMERGENCY BILL**

Unofficial Copy  
O3

2002 Regular Session  
2lr2435  
CF 2lr2730

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By: ~~Senators Ruben, Hogan, Kasemeyer, and Middleton~~ Astle, Bromwell,  
DeGrange, Della, Exum, Hafer, Hogan, Hooper, Kasemeyer, Kelley,  
Middleton, Roesser, and Teitelbaum

Introduced and read first time: February 1, 2002  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 12, 2002

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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; making this Act an emergency measure; providing  
12 for the termination of this Act; 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

1 (2000 Replacement Volume and 2001 Supplement)

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

4 **Article - Health - General**

5 7-101.

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

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

8 7-1012.

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

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

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

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~  
25 ~~October 1, 2002~~ is an emergency measure, is necessary for the immediate  
26 preservation of the public health or safety, has been passed by a yea and nay vote  
27 supported by three-fifths of all the members elected to each of the two Houses of the  
28 General Assembly, and shall take effect from the date it is enacted. It shall remain  
29 effective through June 30, 2003, and, and at the end of June 30, 2003, with no further  
30 action required by the General Assembly, this Act shall be abrogated and of no further  
31 force and effect.

