

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

House Bill 988

(Delegate Hubbard, *et al.*)

Health and Government Operations

Finance

Individuals with Developmental Disabilities - Additional Rights and Services

This bill makes it a right for each developmentally disabled individual receiving services from the Developmental Disabilities Administration (DDA) or from a DDA licensee to receive treatment, services, and habilitation in the most integrated setting, instead of the least restrictive environment, to be informed of all the most integrated setting service options. The annual reevaluation of an individual's plan of habilitation must include a determination of whether services could be provided in more integrated settings. When the plan is reevaluated, each developmentally disabled individual must be offered a range of appropriate, most integrated setting service options.

Fiscal Summary

State Effect: None. The change would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In addition to any other rights, each individual who receives any services provided by DDA or a DDA licensee has certain basic rights, including: (1) the right to be treated with courtesy, respect, and full recognition of human dignity and individuality; (2) the right to receive treatment, services, and habilitation in the least restrictive environment; (3) the right to be free from mental or physical abuse; and (4) the right to be free from chemical or physical restraints, except under certain authorized conditions.

Staff of a DDA licensee that provides residential or day habilitation services must make a written plan of habilitation for each individual with a developmental disability who is accepted for services. Staff must reevaluate the plan's effectiveness and adequacy at least once annually, consulting with the individual receiving the services and any person authorized to act on the disabled individual's behalf. The plan must be revised as needed. At least once annually, DDA must review the licensee's execution of the plan of habilitation and the licensee's compliance with rules, regulations, and standards adopted by the Secretary of Health and Mental Hygiene.

Background: There are approximately 3,220 licensed DDA programs in Maryland that provide day habilitation services, residential services, services coordination, vocational services, family support services, individual support services, or community supported living arrangements services.

Additional Information

Prior Introductions: None.

Cross File: SB 776 (Senator Grosfeld) – Finance.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2005
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