

## CHAPTER 34

(House Bill 1009)

AN ACT concerning

**Task Force on the Structural Under-Funding of Community Services for  
Individuals with Developmental Disabilities to Study the Developmental  
Disabilities Administration Rate Payment Systems**

FOR the purpose of ~~establishing the Task Force on the Structural Under-Funding of Community Services for Individuals with Disabilities~~ requiring the Department of Health and Mental Hygiene to establish the Task Force to Study the Developmental Disabilities Administration Rate Payment Systems; providing for the membership of the Task Force; requiring the ~~Task Force to elect~~ Secretary of Health and Mental Hygiene to appoint a chair; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing for the duties of the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing members of the Task Force to receive certain assistance upon approval of the Secretary of Health and Mental Hygiene; requiring the Task Force to report to the Governor, the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee; providing for the termination of this Act; and generally relating to the Task Force ~~on the Structural Under-Funding of Community Services for Individuals with Disabilities~~ to Study the Developmental Disabilities Administration Rate Payment Systems.

### Preamble

WHEREAS, Community services for individuals with developmental disabilities should be high quality and individualized to meet each person's needs; and

WHEREAS, 22,000 individuals with developmental disabilities, with over 16,000 more on the Waiting List, depend upon the community services funded by the State of Maryland; and

WHEREAS, The viability of community services for individuals with developmental disabilities is threatened by structural under-funding; and

WHEREAS, Maryland ranks 44<sup>th</sup> nationally in its fiscal effort to fund and support services for individuals with developmental disabilities; and

WHEREAS, National best practices in community-based supports include self-directed services and customized employment; and

WHEREAS, Without a timely solution to the structural under-funding, State-funded community-based providers will be unable to continue to provide quality services that are accessible throughout Maryland; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) ~~There is a Task Force on the Structural Under-Funding of Community Services for Individuals with Developmental Disabilities~~ The Department of Health and Mental Hygiene shall establish a Task Force to Study the Developmental Disabilities Administration Rate Payment Systems.

(b) The Task Force ~~consists~~ shall consist of the following members:

(1) One member of the Senate of Maryland, appointed by the President of the Senate;

(2) One member of the House of Delegates, appointed by the Speaker of the House;

(3) The Secretary of Health and Mental Hygiene, or the Secretary's designee;

(4) The Secretary of Budget and Management, or the Secretary's designee;

(5) One representative from the Maryland Association of Community Services;

(6) One representative from the ARC of Maryland;

(7) One representative from People on the Go;

(8) Four representatives of Developmental Disabilities Administration-funded community-based providers, including a provider of

residential supports, a provider of supported employment supports, a provider of day habilitation services, and a provider of community-supported living arrangements;

(9) One representative from the Community Services Reimbursement Rate Commission; ~~and~~

~~(10) One individual with expertise on rate systems for community services in other states~~ One individual familiar with rate systems for community services in Maryland and in other states; and

(11) One representative from the Developmental Disabilities Council.

(c) The Secretary of Health and Mental Hygiene shall appoint the nondesignated members of the Task Force.

~~(d) The Task Force members shall elect a chair~~ Secretary of Health and Mental Hygiene shall appoint the chair of the Task Force from its membership.

(e) The Department of Health and Mental Hygiene shall provide staff for the Task Force.

(f) A member of the Task Force may not receive compensation as a member of the Task Force but is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(g) On approval of the Secretary of Health and Mental Hygiene, the Department shall provide assistance to members requiring additional services to attend meetings of the Task Force.

(h) The Task Force shall:

(1) Review the existing rate system for community-based services funded by the Developmental Disabilities Administration and determine its strengths and weaknesses;

(2) Identify current mandates for service delivery;

(3) Consider costs as reported in the Developmental Disabilities Administration's cost report;

~~(3)~~ (4) Compare the cost of current mandates for service delivery to the level of funding provided by the State;

~~(4)~~ (5) ~~Identify~~ Consider promising practices in rate systems in other states that fund appropriate and individualized supports in a cost-effective manner, which are consistent with local and national best practices;

~~(5)~~ (6) Identify changes in the reimbursement system that further support self-directed services and implementation of best practices; and

~~(6)~~ (7) Develop recommendations to address the problem of the structural under-funding of community services.

(i) The Task Force shall report its findings and recommendations by December 31, 2007, to the Governor, and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee.

(j) After the Task Force has submitted its final report, the Task Force shall continue to advise the Governor and the Maryland General Assembly on the implementation of its recommendations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007. It shall remain effective for a period of 1 year and 1 month and, at the end of July 31, 2008, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

**Approved by the Governor, April 10, 2007.**