

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1234

(Delegate Kach)

Health and Government Operations

Finance

State Residential Centers - Study - Services for Individuals with Developmental
Disabilities

This bill requires the Department of Health and Mental Hygiene, in consultation with a State employee organization and other stakeholders, to study and make recommendations on the provision of services for individuals with developmental disabilities in State residential centers. The study has to include • federal requirements or restrictions that limit or encourage flexibility in providing services; • the availability of federal funds for financing services; • methods of providing services to developmentally disabled individuals in State residential centers by public employees; • best practices regarding training requirements for individuals providing both court-related and noncourt-related services; and • appropriate staffing levels. DHMH has to submit a report with its findings and recommendations to specified legislative committees by September 1, 2009.

The bill terminates September 30, 2009.

Fiscal Summary

State Effect: DHMH should be able to conduct the study and submit the required report with existing staff and resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: State residential centers are overseen by the Developmental Disabilities Administration within DHMH. DDA operates four residential centers: Rosewood; Potomac; Joseph D. Brandenburg; and Holly Center.

Admission of individuals to State residential centers currently depends on whether • the individual is determined to have mental retardation; • the individual needs residential services for adequate habilitation; and • there is no less restrictive setting in which the needed services can be provided and that is available to the individual or will be available to the individual within a reasonable time. Admission of the individual may not be approved if all the requirements listed above are not met.

DDA is charged with ensuring that all direct care staff in State residential and community-based programs are provided with in-service training. Direct care staff includes all individuals directly involved in the day-to-day education, training, habilitation, assistance, counseling, care, or attention of an individual with a developmental disability. Each direct care staff member has to participate in the in-service training curriculum, the standards of which are developed by DDA, within three months from the date of the staff member's employment.

The Secretary of Health and Mental Hygiene adopts rules and regulations to set charges for services DHMH provides for the physically ill, aged, mentally retarded, and developmentally disabled and other recipients of services in or through • State-operated clinics; • day care, day treatment, and day hospital care; • group homes and small residential homes; • inpatient care in regional and State hospitals and centers; and • inpatient and outpatient care of any other kind.

Background:

State Residential Centers

Admission to one of the four State residential centers is frozen to all individuals, with the exception of those ordered by the court system to be admitted to a DDA facility. At the same time, DDA continues to work to place those individuals that are currently in an SRC in a community care placement. As a result, the average daily population is steadily declining. In fact, there has been a 23% decrease in the SRC average daily population between fiscal 2002 and 2007. The majority of individuals served by DDA are Medicaid-eligible, so the State receives 50% federal matching funds for services provided to Medicaid enrolled individuals.

On January 15, 2008, Governor O'Malley signed an executive order to close Rosewood, citing, among other things, deteriorating physical conditions. Under the executive order, DHMH is directed to develop and implement a plan to close the center by fiscal 2010.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 4, 2008
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