

HOUSE BILL 900

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CF SB 465

By: **Delegates Montgomery, Benson, Bobo, Bohanan, Bronrott, Carr, Costa, Gaines, Guzzone, Heller, Hubbard, Kaiser, Kullen, Love, Manno, Mizeur, Niemann, Pena–Melnik, Robinson, and Waldstreicher**

Introduced and read first time: February 10, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities Administration – Recipient Reevaluations**

3 FOR the purpose of requiring a recipient of certain services from the Developmental
4 Disabilities Administration to be reevaluated under certain circumstances to
5 determine the needs of and funding levels required by the recipient; authorizing
6 certain individuals to request the reevaluation; authorizing a recipient who has
7 been denied a reevaluation to request a hearing in accordance with a certain
8 provision of law; and generally relating to reevaluations of recipients of services
9 from the Developmental Disabilities Administration.

10 BY adding to

11 Article – Health – General
12 Section 7–404.1
13 Annotated Code of Maryland
14 (2009 Replacement Volume)

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

17 **Article – Health – General**

18 **7–404.1.**

19 **(A) ON REQUEST, A RECIPIENT OF SERVICES UNDER THIS TITLE SHALL**
20 **BE REEVALUATED TO DETERMINE THE NEEDS OF AND FUNDING LEVELS**
21 **REQUIRED BY THE RECIPIENT IF:**

22 **(1) A CHANGE HAS OCCURRED IN:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) THE PHYSICAL OR MENTAL HEALTH STATUS OF THE**
2 **RECIPIENT; OR**

3 **(II) THE SUPPORT SERVICES NEEDED BY THE RECIPIENT;**
4 **AND**

5 **(2) THE CHANGE IS NOT EXPECTED TO BE RESOLVED OR**
6 **STABILIZED WITHOUT A MODIFICATION IN THE LEVEL OF SUPPORT SERVICES.**

7 **(B) A REEVALUATION MAY BE REQUESTED BY:**

8 **(1) THE RECIPIENT;**

9 **(2) A PARENT, ADULT SIBLING, ADULT CHILD, OR OTHER FAMILY**
10 **MEMBER OF THE RECIPIENT WITH KNOWLEDGE OF THE RECIPIENT'S NEEDS**
11 **AND SERVICES;**

12 **(3) THE GUARDIAN OF THE RECIPIENT;**

13 **(4) THE SURROGATE DECISION MAKER OF THE RECIPIENT; OR**

14 **(5) A SERVICE COORDINATOR.**

15 **(C) IF A RECIPIENT IS DENIED A REEVALUATION UNDER THIS SECTION,**
16 **THE RECIPIENT MAY REQUEST A HEARING IN ACCORDANCE WITH § 7-406 OF**
17 **THIS SUBTITLE.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2010.