

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 110

(Senator Middleton, *et al.*)

Finance

Health and Government Operations

Developmental Disabilities Administration - Low Intensity Support Services -
Definition

This bill alters the definition of “low intensity support services” (LISS) as it applies to the Low Intensity Support Services Program within the Developmental Disabilities Administration (DDA).

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: None. The bill codifies current practice.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill defines LISS as a program designed to enable a family to provide for the needs of a child or an adult who is living at home and has a severe chronic disability that (1) is attributable to a physical or mental impairment (other than a diagnosis of mental illness alone) or to a combination of physical and mental impairments and (2) is likely to continue indefinitely. Likewise, LISS includes a program designed to support an adult who is living in the community and has a severe chronic disability that (1) is attributable to a physical or mental impairment (other than a diagnosis of mental illness alone) or to a combination of physical and mental impairments and (2) is likely to continue indefinitely.

Current Law/Background:

Definition of LISS

LISS is a program designed to (1) enable a family to provide for the needs of a child or an adult with developmental disability living in the home or (2) support an adult with developmental disability living in the community.

Conflicting Provisions in LISS Statute

DDA advises that the LISS statute appears to require an individual to fall within the definition of “developmental disability” before receiving the services. “Developmental disability” is defined by statute as a severe chronic disability of an individual that (1) is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments; (2) is manifested before the individual attains the age of 22; (3) is likely to continue indefinitely; (4) results in an inability to live independently without external support or continuing and regular assistance; and (5) reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual. DDA further advises that the only way to ascertain whether an individual falls under the statutory definition is to complete the full application for DDA services. However, a *de facto* requirement to complete the full application for DDA services contradicts a provision in the LISS statute which states that an individual seeking LISS is not required to submit a full application for services to the department (current practice is to have an individual seeking LISS complete a simplified, two-page application). Further, statute specifies that the LISS program must be flexible; thus, as DDA advises, requiring applicants who apply for LISS to go through the full DDA application process and meet the criteria for a developmental disability is contrary to the intent of the program.

To resolve this conflict and ensure that the LISS program is available for all those intended, DDA advises that the adjustment to the definition of LISS contained in the bill is required. DDA advises that the bill codifies current practice.

Services Offered

LISS provides family support services to help children stay in their homes, such as individual and family counseling, personal care, day care, specialized equipment, health services, respite care, housing adaptations, transportation, and other necessary services. LISS also provides individual support services for those in the community, such as identification services; training and support for self-advocacy; therapeutic services; individual and family counseling; medical equipment purchase, rental, and repair; crisis

intervention and follow-up; attendant care; respite care; barrier removal; community integration services; employment-related services; and other services to maximize independence, productivity, and integration within the community.

The fiscal 2015 appropriation for LISS is \$5.1 million, and the LISS budget for fiscal 2016 is \$5.3 million, 100% of which comes from the general fund.

Additional Information

Prior Introductions: None.

Cross File: HB 231 (Delegate Hammen, *et al.*) – Health and Government Operations.

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

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