

# SENATE BILL 216

03, 02

7lr1468  
CF HB 769

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By: **Senators Kelley, Astle, Benson, King, Klausmeier, Lee, Manno, Mathias, Middleton, Nathan-Pulliam, Robinson, ~~and Rosapepe~~ Rosapepe, Feldman, Hershey, Jennings, and Reilly**

Introduced and read first time: January 19, 2017

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 7, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Caregivers Support Coordinating Council – Renaming and Altering**  
3 **Membership and Duties**

4 FOR the purpose of renaming the Maryland Caregivers Support Coordinating Council to  
5 be the Maryland Commission on Caregiving; altering the membership of the  
6 Commission to include certain members of the General Assembly; requiring the  
7 Governor to consider groups representing certain individuals when appointing  
8 members to the Commission; requiring the Commission to provide ongoing analysis  
9 of best practices in family caregiver support programs and to monitor  
10 implementation of the Commission’s recommendations; making certain conforming  
11 changes; and generally relating to the Maryland Commission on Caregiving.

12 BY repealing and reenacting, with amendments,  
13 Article – Human Services  
14 Section 7–301 through 7–305 and 10–705(2)  
15 Annotated Code of Maryland  
16 (2007 Volume and 2016 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Human Services  
19 Section 10–702  
20 Annotated Code of Maryland  
21 (2007 Volume and 2016 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Human Services**

4 7–301.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) [“Council”] **“COMMISSION”** means the [Maryland Caregivers Support  
7 Coordinating Council] **MARYLAND COMMISSION ON CAREGIVING**.

8 (c) “Department” means the Department of Human Resources.

9 7–302.

10 (a) There is a [Maryland Caregivers Support Coordinating Council] **MARYLAND**  
11 **COMMISSION ON CAREGIVING** in the Department.

12 (b) The purpose of the [Council] **COMMISSION** is to coordinate statewide  
13 planning, development, and implementation of family caregiver support services.

14 7–303.

15 (a) (1) The [Council] **COMMISSION** consists of the following members  
16 [appointed by the Governor]:

17 **(I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED**  
18 **BY THE PRESIDENT OF THE SENATE;**

19 **(II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED**  
20 **BY THE SPEAKER OF THE HOUSE; AND**

21 **(III) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:**

22 **[(i)] 1.** two representatives from the Department of Human  
23 Resources;

24 **[(ii)] 2.** three representatives from the Department of Health and  
25 Mental Hygiene;

26 **[(iii)] 3.** one representative from the Department of Aging;

27 **[(iv)] 4.** one representative from an area agency on aging;

- 1                    [(v)] 5.     one representative from the Department of Disabilities;
- 2                    [(vi)] 6.     one representative from the Maryland Respite Care  
3 Coalition;
- 4                    [(vii)] 7.     two consumers of respite care services;
- 5                    [(viii)] 8.     three family caregivers; and
- 6                    [(ix)] 9.     three representatives of organizations that provide or  
7 have interest or expertise in respite care services.

8                    (2)     In appointing members to the [Council] COMMISSION, to the extent  
9 possible, the Governor shall consider groups representing individuals [with]:

- 10                    (i)     **WITH** Alzheimer’s disease and related disorders;
- 11                    (ii)    **WITH** developmental disabilities;
- 12                    (iii)   **WITH** physical disabilities;
- 13                    (iv)    **WITH** chronic illnesses;
- 14                    (v)    **WITH** mental or emotional conditions that require supervision;  
15 [and]
- 16                    (vi)    [vulnerability] **WHO ARE VULNERABLE** to abuse or neglect;
- 17                    **(VII) WITH DISABILITIES, DISORDERS, OR CONDITIONS**  
18 **AFFECTING THE ENTIRE LIFESPANS OF THE INDIVIDUALS; AND**
- 19                    **(VIII) WHO REFLECT THE DIVERSITY OF THE STATE.**

20                    (b)     The term of a member of the [Council] COMMISSION is 3 years.

21                    (c)     The Governor shall appoint a chair of the [Council] COMMISSION from  
22 among the members.

23 7–304.

24                    (a)     (1)     The Department shall provide staff for the [Council] COMMISSION.

25                    (2)     An individual from the Department shall serve as executive director of  
26 the [Council] COMMISSION.

1 (b) A member of the [Council] COMMISSION:

2 (1) may not receive compensation as a member of the [Council]  
3 COMMISSION; but

4 (2) is entitled to reimbursement for expenses under the Standard State  
5 Travel Regulations, as provided in the State budget.

6 7–305.

7 (a) The [Council] COMMISSION shall:

8 (1) solicit and gather concerns of caregivers by:

9 (i) conducting surveys;

10 (ii) holding public hearings;

11 (iii) establishing a telephone hotline for public access; and

12 (iv) other appropriate means;

13 (2) develop and distribute to interested parties a handbook of current  
14 respite care and other family caregiver services available in the State;

15 (3) review successful respite care programs in other states;

16 (4) develop a model family caregiver support program that incorporates  
17 best practices from existing programs in this and other states;

18 **(5) PROVIDE ONGOING ANALYSIS OF BEST PRACTICES IN FAMILY**  
19 **CAREGIVER SUPPORT PROGRAMS IN THIS AND OTHER STATES;**

20 **[(5)] (6)** coordinate activities of existing and proposed family caregiver  
21 support services among State and local units;

22 **[(6)] (7)** research available funding sources and explore possibilities for  
23 additional funds; [and]

24 **[(7)] (8)** identify unmet needs and priorities for additional funds; AND

25 **(9) MONITOR IMPLEMENTATION OF THE COMMISSION’S**  
26 **RECOMMENDATIONS.**

1 (b) The [Council] COMMISSION shall report annually on its activities AND  
2 RECOMMENDATIONS REGARDING FAMILY CAREGIVER SUPPORT SERVICES to the  
3 Governor and, subject to § 2-1246 of the State Government Article, the General Assembly.

4 10-702.

5 (a) There is a Family Caregiver Assistance Program in the Department.

6 (b) The purpose of the Program is to provide grants to eligible family caregivers  
7 to supplement the unmet expenses of caring for an adult dependent.

8 10-705.

9 The Secretary shall:

10 (2) work in cooperation with the Department of Disabilities, the  
11 Department of Health and Mental Hygiene, and the [Maryland Caregivers Support  
12 Coordinating Council] MARYLAND COMMISSION ON CAREGIVING to promote the  
13 Program to family caregivers throughout the State; and

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.