

(2) -- OUT-OF-HOME -- TEMPORARY -- CARE -- PROVIDED -- BY TRAINED PERSONNEL IN A RESPITE CARE CENTER -- ON -- AN -- HOUR -- BY HOUR -- BASIS -- FOR -- UP -- TO -- 24 -- HOURS, -- OR -- ON -- A -- 24-HOUR BASIS, INCLUDING, WITHIN A CALENDAR YEAR, OVERNIGHT ACCOMMODATIONS FOR -- A -- MAXIMUM PERIOD OF 7 CUMULATIVE DAYS AND 24 CUMULATIVE HOURS STATE-FUNDED RESPITE CARE PROGRAMS MAY NOT EXCEED THE FOLLOWING LIMITS WITHIN A FISCAL YEAR:

(1) IN-HOME TEMPORARY CARE BY TRAINED PERSONNEL ON AN HOURLY BASIS; AND

(2) OUT-OF-HOME TEMPORARY CARE PROVIDED BY TRAINED PERSONNEL IN A RESPITE CARE CENTER ON AN HOURLY BASIS FOR UP TO 24 HOURS, AND, IN ADDITION, ON A 24-HOUR BASIS, INCLUDING OVERNIGHT ACCOMMODATIONS, FOR A MAXIMUM PERIOD OF 7 CONTINUOUS DAYS.

(C) THE TERM "DEVELOPMENTALLY DISABLED" MEANS A SEVERE, CHRONIC DISABILITY OF A PERSON WHICH:

(1) IS ATTRIBUTABLE TO A MENTAL OR PHYSICAL IMPAIRMENT OR COMBINATION OF MENTAL AND PHYSICAL IMPAIRMENTS;

(2) IS MANIFESTED BEFORE THE PERSON ATTAINS AGE 22;

(3) IS LIKELY TO CONTINUE INDEFINITELY;

(4) RESULTS IN SUBSTANTIAL FUNCTIONAL LIMITATIONS IN THREE OR MORE OF THE FOLLOWING AREAS OF MAJOR LIFE ACTIVITY: (I) SELF-CARE; (II) RECEPTIVE AND EXPRESSIVE LANGUAGE; (III) LEARNING; (IV) MOBILITY; (V) SELF-DIRECTION; (VI) CAPACITY FOR INDEPENDENT LIVING; AND (VII) ECONOMIC SELF-SUFFICIENCY; AND

(5) REFLECTS THE PERSON'S NEED FOR A COMBINATION AND SEQUENCE OF SPECIAL INTERDISCIPLINARY OR GENERIC CARE, TREATMENT, OR OTHER SERVICES WHICH ARE LIFELONG OR OF EXTENDED DURATION AND ARE INDIVIDUALLY PLANNED AND COORDINATED.

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(A) THE DEPARTMENT OF HUMAN RESOURCES SHALL DEVELOP AND IMPLEMENT RESPITE CARE SERVICES PROGRAMS IN MARYLAND.

(B) THE RESPITE CARE SERVICES SHALL BE PROVIDED BY THE LOCAL DEPARTMENTS OF SOCIAL SERVICES OR BY PRIVATE NONPROFIT COMMUNITY BASED PROVIDERS THROUGH A CONTRACTUAL AGREEMENT.

(C) THE DEPARTMENT OF HUMAN RESOURCES SHALL PROMULGATE RULES AND REGULATIONS COVERING, BUT NOT LIMITED TO, MANDATORY STANDARDS FOR RESPITE CARE SERVICES AND THE CREATION AND MAINTENANCE OF SLIDING FEE SCHEDULES FOR RESPITE CARE SERVICES.