

~~PHYSICAL OR MENTAL DISABILITIES OR HANDICAPS~~ DEVELOPMENTAL DISABILITIES, INCLUDING THE PROVISION OF TEMPORARY RELIEF OF THE INDIVIDUAL OR THE INDIVIDUAL'S FAMILY, ON A PLANNED OR OUT-OF-HOME BASIS OR IN A TIME OF CRISIS. ~~RESPIRE CARE SERVICES INCLUDE, BUT ARE NOT LIMITED TO:~~

~~(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 RESPIRE CARE CENTER ON AN HOURLY BASIS FOR UP TO 24 HOURS, OR ON A 24-HOUR BASIS, INCLUDING OVERNIGHT ACCOMMODATIONS FOR A MAXIMUM PERIOD OF 30 CONTINUOUS DAYS. STATE-FUNDED RESPIRE 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 RESPIRE CARE CENTER ON AN HOURLY BASIS FOR UP TO 24 HOURS, AND ON A 24-HOUR BASIS, INCLUDING OVERNIGHT ACCOMODATIONS, 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 TWO 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 RESPIRE CARE SERVICES PROGRAMS IN MARYLAND.