

(E) "PROGRAM" MEANS THE ATTENDANT CARE SERVICES PROGRAM.

~~20-302-~~ 21-502.

(A) (1) THE SECRETARY SUPERINTENDENT SHALL ESTABLISH A PILOT PROGRAM OF FINANCIAL ASSISTANCE FOR ATTENDANT CARE SERVICES FOR ELIGIBLE DISABLED INDIVIDUALS.

(2) ON OR BEFORE OCTOBER 1, 1982, THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS FOR THE OPERATION OF THE PROGRAM.

(3) THE SECRETARY SUPERINTENDENT SHALL DESIGNATE AN INDIVIDUAL FROM THE DEPARTMENT TO SERVE AS DIRECTOR OF THE PROGRAM, AND SHALL PROVIDE APPROPRIATE SUPPORT SERVICES TO THE PROGRAM FROM EXISTING BUDGETS.

(4) FINANCIAL ASSISTANCE SHALL BE GIVEN IN ACCORDANCE WITH A SLIDING PAYMENT SCALE ESTABLISHED BY THE DIRECTOR.

(5) THE DIRECTOR SHALL REVIEW ON AN ANNUAL BASIS THE ELIGIBILITY OF INDIVIDUALS RECEIVING FINANCIAL ASSISTANCE.

(B) (1) THE DIRECTOR SHALL ENSURE THAT AT ANY GIVEN TIME AT LEAST 50 PERCENT OF THE INDIVIDUALS RECEIVING FINANCIAL ASSISTANCE UNDER THE PROGRAM ARE:

(I) GAINFULLY EMPLOYED; OR

(II) ACTIVELY SEEKING EMPLOYMENT.

(2) THE REMAINDER OF THE ELIGIBLE DISABLED INDIVIDUALS ASSISTED UNDER THIS PROGRAM SHALL BE INDIVIDUALS WHO CURRENTLY:

(I) RESIDE IN A NURSING HOME OR SIMILAR INSTITUTION LICENSED TO PROVIDE CHRONIC OR INTERMEDIATE CARE AND WHO WILL BE DEINSTITUTIONALIZED AS A RESULT OF THIS PROGRAM; OR

(II) ARE ON AN APPROVED WAITING LIST FOR THIS OF AN INSTITUTION.

(C) FINANCIAL ASSISTANCE PROVIDED UNDER THIS PROGRAM MAY NOT DUPLICATE ANY ASSISTANCE PROVIDED BY:

(1) THE ADULT PROTECTIVE SERVICES PROGRAM MANDATED BY ARTICLE 88A OF THE CODE; OR

(2) THE MEDICAID PERSONAL CARE PROGRAM MANDATED BY THIS ARTICLE.