

(b) Subject to the appropriation provided for this program in the State budget, respite care for one individual may not exceed the following limits within a State fiscal year:

(1) Up to a total of 24 hours of care which is provided in periods of less than 10 hours in any 24-hour period; and

(2) Up to 14 days of care a "day" being defined for purposes of this section as no fewer than 10 nor more than 24 hours in any 24-hour period.

(c) ~~The term "developmentally disabled" for purposes of this section, a developmental or functional disability~~ 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, INCLUDING A HEAD INJURY;

~~(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.

(D) THE TERM "FUNCTIONAL DISABILITY" 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 LIKELY TO CONTINUE INDEFINITELY;

(3) 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

(4) 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.