

WHEREAS, The inadequacy of the reimbursement rates for community providers of services to individuals with developmental disabilities has been ongoing and unresolved for many years and there is a need to address the issue in a comprehensive, equitable, and objective manner; now, therefore,

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

Article - Health - General

7-307.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "COMMUNITY PROVIDER" MEANS A COMMUNITY-BASED AGENCY OR PROGRAM FUNDED BY THE ADMINISTRATION TO SERVE INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

(3) "COMMUNITY DIRECT SERVICE WORKER" MEANS AN EMPLOYEE OF A COMMUNITY PROVIDER THAT PROVIDES ~~SUPPORT~~ TREATMENT OR SERVICES TO ~~INDIVIDUALS WITH DISABILITIES~~ DEVELOPMENTALLY DISABLED INDIVIDUALS.

(4) "DISPARITY AMOUNT" MEANS THE MONETARY CALCULATION OF THE AVERAGE DIFFERENCE IN WAGES AND BENEFITS BETWEEN COMMUNITY DIRECT SERVICE WORKERS; AND DEVELOPMENTAL DISABILITIES ASSOCIATES; OR OTHER COMPARABLE ~~POSITIONS EMPLOYED~~ EMPLOYEES IN STATE RESIDENTIAL CENTERS.

(5) "RATE" MEANS THE REIMBURSEMENT RATE PAID BY THE DEPARTMENT TO A COMMUNITY PROVIDER FROM THE STATE GENERAL FUND, MARYLAND MEDICAL ASSISTANCE PROGRAM FUNDS, OTHER STATE OR FEDERAL FUNDS, OR A COMBINATION OF FUNDS.

(B) NOTWITHSTANDING THE PROVISIONS OF THIS TITLE, THE DEPARTMENT SHALL REIMBURSE COMMUNITY PROVIDERS AS PROVIDED IN THIS SECTION.

(C) (1) ON OR BEFORE ~~JULY~~ SEPTEMBER 1, 2001, THE DEPARTMENT SHALL DETERMINE:

(I) THE DISPARITY AMOUNT; AND

(II) THE AMOUNT OF ANNUAL INCREASE IN THE RATE OF REIMBURSEMENT TO COMMUNITY PROVIDERS NECESSARY TO REDUCE AND ELIMINATE THE DISPARITY AMOUNT AS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION.

(2) THE DEPARTMENT SHALL DETERMINE THE DISPARITY AMOUNT USING DATA AND INFORMATION FROM:

(I) THE COMMUNITY SERVICES RATE REIMBURSEMENT COMMISSION; AND