

BY adding to

Article 41 – Governor – Executive and Administrative Departments
 Section 6-7A-01 through 6-7A-06, inclusive, to be under the new subtitle
 “Subtitle 7A. Community Attendant Services and Supports Program”
 Annotated Code of Maryland
 (1997 Replacement Volume and 2000 Supplement)

BY adding to

Article – Health – General
 Section 15-133
 Annotated Code of Maryland
 (2000 Replacement Volume)

Preamble

~~WHEREAS, Many studies have found that an overwhelming majority of individuals with disabilities needing long term services and supports would prefer to receive them in home and community based settings rather than in institutions and nursing homes; and~~

~~WHEREAS, Research on the provision of long term attendant services and supports under the Medicaid program has revealed a significant bias toward funding these services in institutional rather than home and community based settings; and~~

~~WHEREAS, Because of this funding bias, significant numbers of individuals with disabilities who would prefer to live in the community and could do so with community attendant services and supports are forced to live in unnecessarily segregated institutional settings if they want to receive needed services and supports; and~~

~~WHEREAS, Decisions regarding the provision of attendant services and supports are often influenced by what is reimbursable rather than what individuals need and want; and~~

~~WHEREAS, There is a growing recognition that disability is a natural part of the human experience that in no way diminishes a person's right to live independently or with supports in the most integrated setting, enjoy self determination and consumer directed services, make choices, contribute to society, and enjoy full inclusion and integration in the mainstream of American society; and~~

~~WHEREAS, The United States Supreme Court ruled in Olmstead v. L.C. that persons with disabilities have the right to live in the most integrated setting appropriate to each person's needs and each state must ensure this basic civil right to citizens with disabilities; and~~

~~WHEREAS, Long term services and supports provided under the Medicaid program must meet the evolving and changing needs and preferences of individuals with disabilities; and~~