

~~WHEREAS, The goals of the nation and State properly include providing individuals with disabilities with meaningful choices of receiving long term services and supports in the most integrated setting appropriate, the greatest possible control over the services received, and quality services that maximize social functioning in the home and community; and~~

~~WHEREAS, The United States Congress, through the Health Care Financing Administration, is offering \$50 million for states to use to change the institutional bias in their service systems called "Olmstead or MiCASSA grants"; and~~

~~WHEREAS, The United States Congress, through the Health Care Financing Administration, is offering \$20 million for states to use as nursing home transition grants to identify ways to get and keep people with disabilities out of nursing homes with the intent that this program, now used in eight states, can be expanded to every state in the country; and~~

~~WHEREAS, Many individuals with disabilities are benefitting from the State's current home or community based services waiver program, however, more than 3,000 persons with disabilities are still confined to inappropriate segregation in nursing homes who, if given the choice, would choose to receive necessary treatment and services in the most integrated home and community setting; now, therefore,~~

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

Article 41 - Governor - Executive and Administrative Departments

SUBTITLE 7A. COMMUNITY ATTENDANT SERVICES AND SUPPORTS PROGRAM.

6-7A-01.

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

(B) "AGENCY-PROVIDER ~~SERVICE OPTION~~ SERVICE OPTION MODEL" MEANS A SERVICE OPTION METHOD OF PROVIDING COMMUNITY ATTENDANT SERVICES AND SUPPORTS FOR AN ELIGIBLE INDIVIDUAL WHERE THE PERSONAL ASSISTANT IS EMPLOYED BY A PROVIDER AGENCY, SUPERVISED AND EVALUATED BY THE CONSUMER, AND THE AGENCY IS THE PERSONAL ASSISTANT'S EMPLOYER OF RECORD.

(C) (1) "ATTENDANT SERVICES AND SUPPORTS" MEANS THE FOLLOWING SERVICES FOR THE DISABLED INDIVIDUAL, WHICH ARE CERTIFIED AS NECESSARY BY A HEALTH CARE PROFESSIONAL:

- (I) DRESSING;
- (II) PREPARING FOOD AND ASSISTING THE DISABLED INDIVIDUAL WITH EATING;
- (III) BATHING AND PERSONAL HYGIENE;