

(D) THE DEPARTMENT, OR THE DEPARTMENT'S DESIGNEE, SHALL REVIEW THE QUARTERLY ASSESSMENTS SUBMITTED TO THE CENTER FOR MEDICARE AND MEDICAID SERVICES OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES BY EACH NURSING FACILITY THAT PARTICIPATES IN THE PROGRAM TO IDENTIFY INDIVIDUALS INDICATING A PREFERENCE TO LIVE IN THE COMMUNITY.

(E) IF A RESIDENT WHO WOULD QUALIFY FOR HOME- AND COMMUNITY-BASED WAIVER SERVICES UNDER § 15-137 OF THIS SUBTITLE INDICATES AN INTEREST OR PREFERENCE FOR LIVING IN THE COMMUNITY, THE DEPARTMENT, OR THE DEPARTMENT'S DESIGNEE, SHALL PROVIDE THE RESIDENT ~~RESIDENTS REFERRED OR IDENTIFIED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION WITH:~~

(1) ADDITIONAL INFORMATION REGARDING HOME- AND COMMUNITY-BASED SERVICES, INCLUDING SERVICES AVAILABLE UNDER A MEDICAL ASSISTANCE WAIVER AND THEIR RIGHT TO ACCESS SERVICES UNDER § 15-137 OF THIS SUBTITLE; AND

(2) ASSISTANCE IN:

(I) COMPLETING ANY APPLICATION FORMS OR PROCESS, AS NEEDED; AND

(II) MOVING FROM A NURSING FACILITY TO A COMMUNITY-BASED SETTING APPROPRIATE TO THE RESIDENTS' NEEDS AND EXPRESSED WISHES.

(f) (1) Subject to paragraph (3) of this subsection, employees or representatives of protection and advocacy agencies and of centers for independent living shall have reasonable and unaccompanied access to residents of public or private nursing facilities in the State that receive reimbursement under the Program for the purpose of providing information, training, and referral to programs and services addressing the needs of people with disabilities, including participation in programs that would enable individuals with disabilities to live outside the nursing facility.

(2) Employees or representatives of protection and advocacy agencies and of centers for independent living shall maintain the confidentiality of the residents and may not disclose the information provided to a resident, except with the express consent of the resident or the resident's legal guardian or health care representative.

(3) Public or private nursing facilities may require the employees or representatives of protection and advocacy agencies and of centers for independent living to provide proof of their employment [and training] before authorizing the access required under paragraph (1) of this subsection.

(G) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE DEPARTMENT, AND THE DEPARTMENT'S DESIGNEE, SHALL REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON: