

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 6-7A-02(a) and (c).

In subsection (a) of this section, the former reference to "home and" community attendant services and supports is deleted for consistency.

- Defined terms: "Attendant services and supports" § 7-501
- "Community attendant services and supports" § 7-501
- "Department" § 7-501
- "Eligible individual" § 7-501
- "Program" § 7-501
- "Representative" § 7-501

7-503. ELIGIBILITY.

AN INDIVIDUAL IS ELIGIBLE FOR THE PROGRAM IF THE INDIVIDUAL:

- (1) HAS A COGNITIVE, SENSORY, OR PHYSICAL DISABILITY;
- (2) IS AT LEAST 21 YEARS OLD AND UNDER THE AGE OF 60 YEARS;
- (3) REQUIRES THE LEVEL OF CARE PROVIDED IN A NURSING FACILITY;
- (4) WILL BE DISCHARGED OR DIVERTED FROM A NURSING FACILITY;
- (5) QUALIFIES FOR THE MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER FOR ADULTS WITH PHYSICAL DISABILITIES;
- (6) HAS A FUNCTIONAL NEED; AND
- (7) HAS AN INCOME THAT DOES NOT EXCEED 300% OF SUPPLEMENTAL SECURITY INCOME.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, §§ 6-7A-01(g), 6-7A-02(d), and 6-7A-03(h) and (i).

In item (2) of this section, the former requirement that the "Department shall limit participation in the program" is revised as an eligibility requirement for the Program for clarity.

In item (5) of this section, the reference to the Medicaid "home and community-based services" waiver is added for accuracy.

In item (6) of this section, the former phrase "based on abilities and limitations of the consumer" is deleted as included in the definition of "functional need".

In item (7) of this section, the former requirement that the Department "in coordination with the Department of Health and Mental Hygiene, shall amend the existing waiver ... to include individuals with incomes at or below 300% of supplemental security income" is revised as an eligibility requirement for the Program because the waiver amendment has been