

FOR the purpose of ~~prohibiting the Department of Health and Mental Hygiene from denying an individual home and community based waiver services when the individual resides in a State residential center and certain criteria are met; providing that nothing in this Act is intended to result in a certain reduction of federal funds; requiring the Department to notify certain residents of State residential centers about certain opportunities to participate in a certain waiver; requiring the Department to submit a certain annual report; defining a certain term; and generally relating to individuals living in State residential centers and access to home and community based waivers~~ requiring the Department of Health and Mental Hygiene to make a certain report to certain committees of the General Assembly on or before a certain date each year; providing for the termination of this Act; and generally relating to the Department of Health and Mental Hygiene and the Money Follows the Person grant.

BY adding to

Article – Health – General  
 Section ~~15-135.1~~ 15-144  
 Annotated Code of Maryland  
 (2005 Replacement Volume and 2006 Supplement)

#### Preamble

~~WHEREAS, The Written Plan of Habilitation (§ 7-904 of the Health – General Article) requires that the individual written plan for each individual residing at a State residential center include a recommendation regarding the most integrated setting to meet the individual's needs and barriers to providing services in the most integrated setting; and~~

~~WHEREAS, Ninety percent of the individuals reviewed to date have a finding from the independent resource coordinator that community residential services are the most integrated setting; and~~

~~WHEREAS, The Department of Health and Mental Hygiene's report on the Written Plan of Habilitation for Individuals in State Residential Centers to the General Assembly states that "capacity is not a significant barrier for most individuals if funding is available"; and~~

~~WHEREAS, No funding has been provided in the Department's budget to transition individuals from State residential centers to appropriate community services; now, therefore,~~

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