

(1) IS AT LEAST 18 YEARS OLD AND UNDER THE AGE OF 65; AND

(2) HAS A SEVERE CHRONIC OR PERMANENT PHYSICAL DISABILITY THAT PRECLUDES OR SIGNIFICANTLY IMPAIRS THE INDIVIDUAL'S INDEPENDENT PERFORMANCE OF ESSENTIAL ACTIVITIES OF DAILY LIVING, SELF-CARE, OR MOBILITY.

(G) "FINANCIAL ASSISTANCE" MEANS A PAYMENT BY THE DEPARTMENT TO AN ELIGIBLE DISABLED INDIVIDUAL TO AID IN SECURING ATTENDANT CARE SERVICES.

(H) "PROGRAM" MEANS THE ATTENDANT CARE PROGRAM.

6-702.

(A) (1) THE SECRETARY SHALL ESTABLISH A PROGRAM OF FINANCIAL ASSISTANCE FOR ATTENDANT CARE SERVICES FOR ELIGIBLE DISABLED INDIVIDUALS.

(2) THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS FOR THE OPERATION OF THE PROGRAM.

(3) THE SECRETARY SHALL DESIGNATE AN INDIVIDUAL FROM THE DEPARTMENT TO SERVICE AS DIRECTOR OF THE PROGRAM, AND SHALL PROVIDE APPROPRIATE SUPPORT SERVICES TO THE PROGRAM FROM EXISTING BUDGETS.

(4) FINANCIAL ASSISTANCE SHALL BE GIVEN IN ACCORDANCE WITH A SLIDING PAYMENT SCALE ESTABLISHED BY THE DEPARTMENT.

(5) THE DEPARTMENT SHALL REVIEW ON AN ANNUAL BASIS THE ELIGIBILITY OF INDIVIDUALS RECEIVING FINANCIAL ASSISTANCE.

(B) (1) THE DEPARTMENT SHALL ENSURE THAT AT ANY GIVEN TIME AT LEAST 50 PERCENT OF THE INDIVIDUALS RECEIVING FINANCIAL ASSISTANCE UNDER THE PROGRAM ARE:

(I) GAINFULLY EMPLOYED; OR

(II) ACTIVELY SEEKING EMPLOYMENT.

(2) THE REMAINDER OF THE ELIGIBLE DISABLED INDIVIDUALS ASSISTED UNDER THIS PROGRAM SHALL BE INDIVIDUALS WHO CURRENTLY:

(I) RESIDE IN A NURSING HOME OR SIMILAR INSTITUTION LICENSED TO PROVIDE CHRONIC OR INTERMEDIATE CARE AND WHO WILL BE DEINSTITUTIONALIZED AS A RESULT OF THIS PROGRAM; OR

(II) ARE ON AN APPROVED WAITING LIST OF AN INSTITUTION.