

# SENATE BILL 216

03, 02

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CF HB 769

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By: **Senators Kelley, Astle, Benson, King, Klausmeier, Lee, Manno, Mathias, Middleton, Nathan-Pulliam, Robinson, ~~and Rosapepe~~ Rosapepe, Feldman, Hershey, Jennings, and Reilly**

Introduced and read first time: January 19, 2017

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 7, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Caregivers Support Coordinating Council – Renaming and Altering**  
3 **Membership and Duties**

4 FOR the purpose of renaming the Maryland Caregivers Support Coordinating Council to  
5 be the Maryland Commission on Caregiving; altering the membership of the  
6 Commission to include certain members of the General Assembly; requiring the  
7 Governor to consider groups representing certain individuals when appointing  
8 members to the Commission; requiring the Commission to provide ongoing analysis  
9 of best practices in family caregiver support programs and to monitor  
10 implementation of the Commission's recommendations; making certain conforming  
11 changes; and generally relating to the Maryland Commission on Caregiving.

12 BY repealing and reenacting, with amendments,  
13 Article – Human Services  
14 Section 7–301 through 7–305 and 10–705(2)  
15 Annotated Code of Maryland  
16 (2007 Volume and 2016 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Human Services  
19 Section 10–702  
20 Annotated Code of Maryland  
21 (2007 Volume and 2016 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

**Article – Human Services**

7–301.

(a) In this subtitle the following words have the meanings indicated.

(b) [“Council”] **“COMMISSION”** means the [Maryland Caregivers Support  
Coordinating Council] **MARYLAND COMMISSION ON CAREGIVING**.

(c) “Department” means the Department of Human Resources.

7–302.

(a) There is a [Maryland Caregivers Support Coordinating Council] **MARYLAND  
COMMISSION ON CAREGIVING** in the Department.

(b) The purpose of the [Council] **COMMISSION** is to coordinate statewide  
planning, development, and implementation of family caregiver support services.

7–303.

(a) (1) The [Council] **COMMISSION** consists of the following members  
[appointed by the Governor]:

**(I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED  
BY THE PRESIDENT OF THE SENATE;**

**(II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED  
BY THE SPEAKER OF THE HOUSE; AND**

**(III) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:**

**[(i)] 1.** two representatives from the Department of Human  
Resources;

**[(ii)] 2.** three representatives from the Department of Health and  
Mental Hygiene;

**[(iii)] 3.** one representative from the Department of Aging;

**[(iv)] 4.** one representative from an area agency on aging;

- 1                    [(v)] 5.     one representative from the Department of Disabilities;
- 2                    [(vi)] 6.     one representative from the Maryland Respite Care
- 3 Coalition;
- 4                    [(vii)] 7.     two consumers of respite care services;
- 5                    [(viii)] 8.     three family caregivers; and
- 6                    [(ix)] 9.     three representatives of organizations that provide or
- 7 have interest or expertise in respite care services.

8                    (2)     In appointing members to the [Council] **COMMISSION**, to the extent

9 possible, the Governor shall consider groups representing individuals [with]:

- 10                    (i)     **WITH** Alzheimer's disease and related disorders;
- 11                    (ii)    **WITH** developmental disabilities;
- 12                    (iii)   **WITH** physical disabilities;
- 13                    (iv)    **WITH** chronic illnesses;
- 14                    (v)    **WITH** mental or emotional conditions that require supervision;
- 15 [and]
- 16                    (vi)    [vulnerability] **WHO ARE VULNERABLE** to abuse or neglect;
- 17                    **(VII) WITH DISABILITIES, DISORDERS, OR CONDITIONS**
- 18 **AFFECTING THE ENTIRE LIFESPANS OF THE INDIVIDUALS; AND**
- 19                    **(VIII) WHO REFLECT THE DIVERSITY OF THE STATE.**

20                    (b)     The term of a member of the [Council] **COMMISSION** is 3 years.

21                    (c)     The Governor shall appoint a chair of the [Council] **COMMISSION** from

22 among the members.

23 7-304.

24                    (a)     (1)     The Department shall provide staff for the [Council] **COMMISSION**.

25                    (2)     An individual from the Department shall serve as executive director of

26 the [Council] **COMMISSION**.

(b) A member of the [Council] **COMMISSION:**

(1) may not receive compensation as a member of the [Council] **COMMISSION**; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

7–305.

(a) The [Council] **COMMISSION** shall:

(1) solicit and gather concerns of caregivers by:

(i) conducting surveys;

(ii) holding public hearings;

(iii) establishing a telephone hotline for public access; and

(iv) other appropriate means;

(2) develop and distribute to interested parties a handbook of current respite care and other family caregiver services available in the State;

(3) review successful respite care programs in other states;

(4) develop a model family caregiver support program that incorporates best practices from existing programs in this and other states;

**(5) PROVIDE ONGOING ANALYSIS OF BEST PRACTICES IN FAMILY CAREGIVER SUPPORT PROGRAMS IN THIS AND OTHER STATES;**

**[(5)] (6)** coordinate activities of existing and proposed family caregiver support services among State and local units;

**[(6)] (7)** research available funding sources and explore possibilities for additional funds; **[and]**

**[(7)] (8)** identify unmet needs and priorities for additional funds; **AND**

**(9) MONITOR IMPLEMENTATION OF THE COMMISSION'S RECOMMENDATIONS.**

(b) The [Council] COMMISSION shall report annually on its activities AND RECOMMENDATIONS REGARDING FAMILY CAREGIVER SUPPORT SERVICES to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly.

10-702.

(a) There is a Family Caregiver Assistance Program in the Department.

(b) The purpose of the Program is to provide grants to eligible family caregivers to supplement the unmet expenses of caring for an adult dependent.

10-705.

The Secretary shall:

(2) work in cooperation with the Department of Disabilities, the Department of Health and Mental Hygiene, and the [Maryland Caregivers Support Coordinating Council] MARYLAND COMMISSION ON CAREGIVING to promote the Program to family caregivers throughout the State; and

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.