

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1053

(Delegate Buckel, *et al.*)

Health and Government Operations

Finance and Budget and Taxation

Developmental Disabilities Administration - Self-Directed Services

This bill clarifies that a parent of a recipient of self-directed services must have the option to provide specified services for the recipient and alters the circumstances under which a family member or legal guardian may provide self-directed services. A parent, another family member, or a legal guardian must have the option to provide services if (1) the recipient or an individual authorized to make care decisions on behalf of the recipient chooses the parent, family member, or legal guardian to provide the services; (2) the recipient also hires a support broker; and (3) the services are authorized to be provided by the parent, another family member, or the legal guardian of the recipient by a Developmental Disabilities Administration (DDA) waiver approved by the federal Centers for Medicare and Medicaid Services.

Fiscal Summary

State Effect: The bill is technical and clarifying in nature and does not directly affect governmental finances.

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: DDA provides self-directed services through the Family Supports, Community Supports, and Community Pathways waivers. A participant in self-directed DDA services works with a coordinator of community services to identify needs and preferences and identify an allocated budget amount. A participant develops a self-directed

budget for services authorized in their person-centered plan. Participants then select staff or vendors and arrange for services and supports as authorized in the person-centered plan.

DDA must provide a recipient who receives self-directed services with an option for a *family member* or legal guardian to provide services for the recipient, if (1) the recipient or an individual authorized to make care decisions on behalf of the recipient chooses the family member to provide the services and (2) the recipient also hires a support broker.

DDA must also provide a recipient of self-directed services with:

- individual-directed and family-directed goods and services in an amount based on the recipient's needs and included in their person-centered plan as calculated on an annual basis and within the limits of the approved annual budget;
- up to 30 hours of support broker services each month, as needed by the recipient and within the recipient's total approved annual budget;
- the ability to use funds from the recipient's approved annual budget for the purpose of funding at least one position to assist the recipient in managing the recipient's home, staff, and other administrative duties, as specified;
- the option to employ a representative, support broker, or team of individuals to support the recipient in directing services; and
- training for a representative, support broker, or team of individuals on self-directed services.

A recipient of self-directed services may choose to hire a relative (a natural or adoptive parent, stepparent, child, stepchild, or sibling, who is not also a legal guardian or legally responsible person), legal guardian, or legally responsible person for (1) community development services; (2) employment services; (3) individual and family directed goods and services day-to-day administrative supports; (4) nursing support services, if approved by DDA; (5) personal supports; (6) respite care services; (7) support broker services; and (8) transportation.

A recipient of self-directed services must fill out a *Self-Directed Services Family as Staff* form to inform their team and DDA if they are hiring a relative to provide an approved self-directed service. If a relative, legal guardian, or legally responsible person is hired as a support broker (a person who works at the direction of and for the benefit of an individual who uses self-directed services, including by assisting the individual or another individual chosen by the individual with specified tasks), no other relatives, legal guardians, or legally responsible persons may be hired as staff.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2025
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Analysis by: Amberly E. Holcomb

Direct Inquiries to:
(410) 946-5510
(301) 970-5510