

Bill No. 35-17
Concerning: Finance – Payments to
Service Providers
Revised: 12/04/2017 Draft No. 5
Introduced: October 31, 2017
Enacted: December 12, 2017
Executive: December 18, 2017
Effective: March 19, 2018
Sunset Date: None
Ch. 37, Laws of Mont. Co. 2017

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President Berliner
Co-Sponsors: Councilmembers Leventhal, Elrich, Katz, Floreen, Rice, Hucker, Council Vice-
President Riemer and Councilmember Navarro

AN ACT to:

- (1) provide for an annual payment to certain providers of direct services to persons with developmental disabilities;
- (2) require the Director of ~~[[Finance]]~~ Health and Human Services to consider certain factors in ~~[[setting]]~~ recommending the amount of the payment;
- (3) establish eligibility standards for a provider to receive the payment; and
- (4) generally amend the law governing payments to service providers.

By adding

Montgomery County Code
Chapter 20, Finance
Article XVI, Payments to Service Providers
Section 20-83

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[[Single boldface brackets]]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 Sec 1. Article XVI (Section 20-83) is added to Chapter 20 as follows:

2 ARTICLE XVI. Payments to Service Providers.

3 20-83. Payment to providers of direct services to persons with
 4 developmental disabilities.

5 (a) Definitions. In this Section:

6 (1) Developmental disability means developmental disability as
 7 defined in Section 7-101 of the Health - General Article of the
 8 Maryland Code.

9 (2) Direct service worker means an employee of a service provider
 10 that provides direct treatment or services to persons with
 11 developmental disabilities for at least 50[[%]] percent of their
 12 work hours.

13 (3) [[Director means the Director of the Department of Finance.

14 (4)]] Service provider means an organization providing direct
 15 residential, meaningful day (including employment and
 16 community development services) or support services to clients
 17 through the Developmental Disabilities Administration of the
 18 Maryland Department of Health.

19 (b) Payment. Each year, to the extent that funds are appropriated, the
 20 Director of Finance must make a payment to each eligible service
 21 provider in recognition of the higher cost of living in Montgomery
 22 County compared to other parts of Maryland.

23 (c) [Amount] Recommended amount of payment. [[In calculating the
 24 payment, the]] The Director of Health and Human Services must, by
 25 February 1 of each year, recommend to the Executive and Council the
 26 amount of the payment, [[consider]] considering:

27 (1) the State reimbursement rates to service providers; [[and]]

28 (2) the total cost of providing services, including wages; and

29 (3) the additional operating support needed to allow each service
30 provider to pay direct service workers, on average, 125[[%]]
31 percent of the County minimum wage.


32 (d) Eligibility for payment. To receive a payment under this Section, a
33 service provider must:

34 (1) demonstrate to the Department of Health and Human Services
35 that it pays direct service workers at a rate specified in the
36 Council's current operating budget resolution; and

37 (2) meet any other eligibility standards set in regulation.

38 (e) Regulations. The Executive may issue regulations under Method (2) to
39 implement this Section.

Approved:

 12-13-2017

Hans D. Riemer, President, County Council Date

Approved:

 Dec 18, 2017

Isiah Leggett, County Executive Date

This is a correct copy of Council action.

 Dec 19, 2017

Linda M. Lauer, Clerk of the Council Date