

## Article - Health - General

§7-409.

(a) The Administration shall provide to a recipient who receives self-directed services:

(1) Individual-directed and family-directed goods and services in an amount based on the recipient's needs and included in the recipient's person-centered plan of service as calculated:

(i) On an annual basis; and

(ii) Within the limits of the approved annual budget generated by the Department's Long Term Services and Supports software system or its replacement system;

(2) Access to the recipient's plan of service and budgets for the plan of service through the Department's Long Term Services and Supports software system or its replacement system;

(3) Up to 30 hours of support broker services each month, as needed by the recipient and within the recipient's total approved annual budget;

(4) An option for a family member or legal guardian of the recipient to provide services for the recipient, if:

(i) The recipient or an individual authorized to make care decisions on behalf of the recipient chooses the family member to provide the services; and

(ii) The recipient also hires a support broker;

(5) Reimbursement paid on a per-mile basis to the owner of a specialized, modified, or accessible vehicle driven by an employee of the recipient and for the purpose of the recipient engaging in activities specified in the recipient's person-centered plan of service;

(6) A budget for self-directed services that provides 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 and pay administrative expenses needed to operate the recipient's plan of service, including Internet service and office equipment;

(7) An option for a recipient who has a demonstrated need for overnight supports provided through personal support services carried out using the recipient's employer or budget authority to direct and choose the employee, vendor, or provider of the overnight supports;

(8) The choice of a vendor to provide fiscal management services from at least three options;

(9) The option to employ a representative, support broker, or team of individuals to support the recipient in directing services; and

(10) Training for a representative, support broker, or team of individuals on self-directed services.

(b) Subject to subsection (a)(3) of this section, the Administration shall provide to a recipient of self-directed services any support broker services that are:

(1) Authorized by regulations adopted or guidance issued by the Centers for Medicare and Medicaid Services in § 1915(c) of the Social Security Act; and

(2) Selected by the recipient.

(c) (1) Subject to paragraph (2) of this subsection, the Administration may not establish a limit on:

(i) The dollar amount of individual-directed and family-directed goods and services provided to a recipient; or

(ii) The number of hours of personal support services provided to a recipient who receives self-directed services that:

1. Are necessary for the health and safety of the recipient; and

2. Are authorized by regulations adopted or guidance issued by the federal Centers for Medicare and Medicaid Services under § 1915(c) of the Social Security Act.

(2) A recipient may not receive services or supports in excess of the recipient's annual approved budget.

(d) The State may not require a recipient to demonstrate competency before the Administration authorizes the recipient to receive self-direct services.