



**Montgomery County, MD  
Commission on People with Disabilities  
Meeting Summary Minutes  
March 12<sup>th</sup>, 2014**

**Welcome and Approval of January, 2014 Meeting Summary Minutes:**

Trish Gallalee, Chair, convened the meeting. Nelson Migdal, Commissioner, made a motion to approve the January, 2014 Meeting Summary Minutes as written. Charlie Crawford, Vice-Chair, seconded the motion. A vote was taken and the January, 2014 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

**Sidewalk Snow Removal Plan – Hans Riemer, Councilmember, Montgomery County Council**

Councilmember Hans Riemer has sent a memo to the other Councilmembers asking to draft legislation requiring Montgomery County Department of Transportation to create a Sidewalk Snow Removal Plan. The plan would require elements including:

1. Creating a digital map of the county showing who is responsible for clearing snow on all sidewalks in the county.
2. A “major storm event” communications plan addressing a range of preparation efforts that residents need to understand, and including sidewalk snow removal, to be implemented in advance of major storm events.
3. A targeted public education campaign for property owners to make them aware where they are responsible for clearing sidewalks from snow.
4. Establishing pedestrian priority routes where additional education, enforcement and county services will be applied.
5. A public education campaign to educate residents about how to request enforcement of sidewalk clearing rules, and enhanced process for residents to request enforcement by 311.
6. Policies for keeping 311 in operation late during snow events.
7. Increased enforcement for property owners who fail to clear their sidewalks.
8. Plan for county-provided snow removal at bus-stops and around Metro stations.
9. Plan for county-provided snow removal near schools.
10. Plan for county-provided snow removal along state highways.
11. Plan for county-provided snow removal along highest priority pedestrian routes.
12. Plan for snow removal in urban districts, funded by urban districts.
13. Pedestrian access requirements provided to snow removal contractors and performance assessment based on fulfilling the plan.
14. Plan for clearing hiker biker trails on a prioritized basis.
15. Plan for trash removal if snow cancels collection.

Councilmember Riemer noted that legislation is still being drafted.

The floor was opened to questions and comments.

- Snow not being cleared in the crosswalks or being removed with minimum space to maneuver. Crosswalks should be included as part of the clearing of sidewalks.
- Issue concerning apartment complexes and their responsibility for clearing sidewalks adjacent to the complex.
- Issue concerning responsibility and enforcement of snow removal on sidewalks adjacent to commercial businesses.
- Issue regarding clearing of curb cuts so individuals can access the sidewalks.
- Issue regarding commercial and private parking lots dumping snow in the handicapped accessible parking spots. Need to hold management accountable as well as educate snow removal contractors that these spots should be kept cleared.
- Concern regarding the various municipalities within Montgomery County and holding them accountable for sidewalk snow removal.
- Suggestion that snow removal contractors be required to take disability awareness training on these issues.
- Issue regarding snow plows dumping of snow at end of driveways.
- Suggestion of creating a volunteer database for individuals who would like to shovel for free or for pay and connecting them to homeowners in their area. Possibly connecting students for Student Service Learning Hours.
- Suggestion of connecting the volunteer database through 311 so if a homeowner calls for assistance, but their sidewalk is not shoveled for more than 48 hours they will not be fined as there is a record of them seeking assistance.
- Suggestion that the digital map also be made available in text format so individuals who use screen readers can access the information.
- Suggestion that the County should not fine individuals who are physically unable to shovel their sidewalks.
- Suggestion that homeowner associations and housing communities develop their own snow removal plans to include assisting neighbors.
- Implement a Snow Corp Volunteer Program similar to the City of Chicago and other places.
- Look to the Villages Coordinator and what Villages are doing to help senior residents plan for snow removal
- Note: there is an online request for snow removal at [www.snowcrew.org](http://www.snowcrew.org).

Councilmember Riemer encouraged Commissioners to send him any other thoughts, concerns or questions they have regarding a snow removal plan.

### **Introduction of Jerzy Hubert, Newly Hired ADA Capital Project Manager, Department of General Services**

Jerzy Hubert, ADA Capital Project Manager, has recently been hired to handle building and facility projects and will be working with Nancy Greene, ADA Compliance Officer. Jerzy is a licensed professional engineer and has previously worked in Jacksonville, Florida, and Raleigh, North Carolina. Commissioners can contact Jerzy with questions and concerns regarding County buildings and projects at 240-777-6092 (V), or via email [Jerzy.Hubert@montgomerycountymd.gov](mailto:Jerzy.Hubert@montgomerycountymd.gov).

### **Chair and Vice Chair Report:**

Trish Gallalee, Chair, reported that she along with Charlie Crawford, Vice-Chair, and Betsy Luecking, Staff, attended the annual Boards, Committees, and Commissions (BCC) meeting with County Executive Isiah Leggett. The meeting began with County Attorneys explaining the difference between being an advocate and

being a lobbyist. Commissioners, when speaking on issues that the Commission does not have a position on, must identify their views as their own and not of those of the Commission. Commissioners must also be aware of conflicts of interest where a monetary value may be gained by serving on that Commission. For example, if a non-profit agency with representation on the Commission is seeking funds from the County, the representative may not testify on behalf of the Commission. They must also abstain from any voting on the subject.

### **Workgroup Updates:**

Charlie would like to convene a transportation strategic work group that would include the Commission, administrations within the County that have responsibility in the areas of transportation, and transportation advocates in the community. Easter Seals Project ACTION had previously offered staff to provide Accessible Transportation Technical Support.

Easter Seals Project ACTION (ESPA) is an organization that develops and focuses efforts on strategic initiatives that promote collaboration with partner organizations within the transportation and disability communities. Staff has met with a support group that Charlie moderates and is available to meet with other groups. Charlie also noted that his Commission term will be ending in September and a new workgroup chair will need to be appointed.

Seth Morgan, Commissioner, reported that the ad hoc Respect the Space workgroup will be meeting next week. Mike Subin, Special Assistant to the County Executive, added that the liaison to the Department of Transportation's Parking Lot Task Force will be in attendance. Mike will discuss with them the issue of snow removal and plowing in parking lots. Vehicles illegally parked in designated disability parking spots can be reported to the police via the non-emergency line (301-279-8000). Parking lots that are not in compliance with the Maryland Accessibility Code can be reported to Betsy, who will notify Department of Permitting Services or Nancy Greene who will be handling complaints on County owned lots.

Angela Washington, Equal Employment Opportunity (EEO) and Diversity Manager, Office of Human Resources (OHR), Ex-Officio Member, reported that OHR is developing a system to keep track not only of individuals hired by Montgomery County under the hiring preference, but applicants requesting the hiring preference as well. This will help OHR see which departments are bypassing those applicants when filling positions. Angela also reported that OHR was asked by the Department of Police to train 1,400 newly sworn in police officers on EEO and more specifically the ADA.

At last month's Steering Committee, the issue of Medicaid recipients age 64 and under living in nursing homes and the lack of funding for housing vouchers for to have them live in the community was discussed. Medicaid waiver programs are designed to use the money that was used to serve people in nursing homes for services to allow them to live in a community setting. Persons who are receiving Supplemental Security Income (SSI) and who are on Medicaid have an income of about \$715 month. If they are able to receive a HUD voucher, they pay 30% of their monthly income towards rent. The Commission may address this issue during the budget testimony. These three programs work hand-in-hand to provide community services and supports to enable older adults and people with disabilities to live in the community (replaces Older Adult Waiver and Living at Home Waiver): [Home and Community-Based Options Waiver, Community First Choice and the Medical Assistance Personal Care Program](#) - See attachments.

Betsy Luecking, Staff Liaison, reported that at the BCC Meeting with the County Executive Mr. Leggett mentioned the [Design for Life Montgomery \(DFLM\) tax incentive program](#) as one of his newest programs to make our community more inclusive. The Department of Permitting Services (DPS) will be managing the program and has started taking applications as of March 1<sup>st</sup>, 2014. Individuals can apply for a tax credit for any installations of approved accessibility features 12 months prior (back to March 1<sup>st</sup>, 2013). Betsy asked for Commissioners to attend DFLM meetings, which are currently being held to finalize program language before it is implemented.

### **Roundtable:**

Charlie Butler, Therapeutic Recreation (TR), Ex-Officio Member, reported that TR convened an informal meeting with various agencies in the County that provide therapeutic recreation activities for individuals with

disabilities to discuss programs offered and identified gaps. It was noted that there has been a significant increase of individuals with autism spectrum. There is also a need for therapeutic recreation activities specifically for individuals with mental health. Funding for these types of activities has decreased over the years. The group also discussed mainstreaming pricing of participating in programs, as some charge much less than others. The group will meet approximately 3 to 4 times a year. Charlie also reported that on February 20<sup>th</sup> the Department of Recreation celebrated National Recreation Month. The celebration included in-house disability awareness activities. There was also a discussion on how to do mainstream inclusion across all of recreation.

Charlie Crawford, Vice-Chair, reported that Federal Aviation Agency (FAA) will be hosting a conference on Service Animal Relief Areas in Airports on April 10<sup>th</sup> at the FAA Headquarters in Washington, DC. The conference will discuss allowing service animal relief areas inside the secure areas of airports, rather than having to leave and reenter.

**Community Speaks:** None.

**Next Full Commission Meeting:** Wednesday, April 9<sup>th</sup>, 2014 – Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockville, Maryland, 20850 – 6:00 p.m. to 7:30 p.m. **Please try to arrive by 5:15 pm to reconvene workgroups.**

**Steering Committee Meeting:** Wednesday, April 16<sup>th</sup>, 2014 - 401 Hungerford Drive, 1<sup>st</sup> Floor Tan Conference Room, Rockville, Maryland, 20850 – 5:30 p.m. to 7:00 p.m.

Submitted by: Carly Clem, Administrative Specialist I  
Betsy Luecking, Program Manager II



STATE OF MARYLAND

**DHMH**

Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Drown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

November 22, 2013

Dear Living at Home Waiver Participant,

The Affordable Care Act created a program called Community First Choice (CFC), which provides states the option to offer certain community-based services to individuals who meet an institutional level of care. Maryland is taking advantage of this opportunity and is consolidating personal care services across three existing programs - the State Plan Medical Assistance Personal Care program, Living at Home Waiver, and Waiver for Older Adults - under one State Plan program that offers both self-direction and agency model services.

This letter is to inform you of the changes that will be made to the Living at Home Waiver as of January 6, 2014. The Living at Home Waiver will be merged with the Waiver for Older Adults and be renamed the Home and Community-Based Options Waiver. All current services will remain available to you, and you will also be able to access three additional services (behavioral consultation, Senior Center Plus, and assisted living) if you choose to receive them.

What does this mean for you?

On January 6<sup>th</sup>, 2014, you will be automatically enrolled in the new merged waiver.

Any services you need for personal assistance, nurse monitoring, home-delivered meals, assistive technology, environmental accessibility adaptations, consumer training, personal emergency response systems, and transition services will be funded through CFC.

Any services you receive for case management, Medical Day Care, nutritionist/dietitian services, family training, and the newly available services of behavioral consultation, Senior Center Plus, and assisted living will be funded through the new waiver.

Your services, providers, and benefits will not change. You don't need to take any action to keep your services as they are now.

Your current providers will automatically be enrolled as CFC or Home and Community-Based Options Waiver providers. The payment rate we pay for providers for personal assistance services will change and your providers will be notified by the Department.

At your annual redetermination and quarterly visits, your service coordinator will discuss the new opportunities that will be available to you under Community First Choice. These opportunities include the availability of new services, a new approach to assessing your needs using a nationally-validated assessment instrument, the

option to manage your own budget for personal assistance services (including negotiating payment rates), and the option to receive training from the Maryland Department of Disabilities on how to self-direct your services.

You will have the ability to continue using your current service coordinator or you may choose a new provider of this service, otherwise referred to as "supports planning." Your service coordinator, in the supports planning process, will help you navigate the changes, learn more about the budget, and manage the exceptions process to ensure your services continue to meet your needs.

Please feel free to contact your service coordinator if you would like to receive additional information and help understanding any of the new changes. Information is also available on the DHMH website at <https://mmcp.dhmh.maryland.gov/longtermcare/SitePages/Long%20Teml%20Care%20Reform.aspx>.

DRAFT

## HOME AND COMMUNITY-BASED OPTIONS WAIVER

Maryland's Home and Community-Based Options Waiver provides community services and supports to enable older adults and people with physical disabilities to live in their own homes.

### AVAILABLE WAIVER SERVICES

- Assisted Living
- Medical Day Care
- Family Training
- Case Management
- Senior Center Plus
- Dietitian and Nutritionist Services
- Behavioral Consultation

**Waiver participants are also eligible to receive Medicaid services which may include:**

#### Community First Choice Services

- Personal Assistance Services
- Personal Emergency Response Systems
- Technology
- Environmental Assessments
- Accessibility Adaptations
- Consumer Training
- Supports Planning
- Transition Services
- Nurse Monitoring
- Home Delivered Meals

#### Other Services

- Physician and Hospital Care
- Pharmacy
- Home Health
- Laboratory Services
- Mental Health Services
- Disposable Medical Supplies and Durable Medical Equipment
- Payment of Medicare premiums, co-payments, and deductibles

### WHO SHOULD APPLY

Maryland residents aged 18 and over who need assistance with activities of daily living, such as bathing, grooming, dressing, and getting around.

### ELIGIBILITY GUIDELINES

#### *Medical and Technical Criteria*

- Individuals must require a nursing facility level of care based on a uniform medical assessment.

#### *Financial Criteria*

- An individual's income and assets are reviewed to determine financial eligibility for Medical Assistance.
- The monthly income of an individual may not exceed 300% of SSI benefits, and the countable assets may not exceed \$2,000 or \$2,500 (depending on eligibility category).
- Only the income and assets of the individual (and assets of any spouse) are considered in determining financial eligibility.

### PERSONS INTERESTED SHOULD:

#### *If you live in a nursing facility:*

Contact Medicaid's Long Term Care and Waiver Services at:

410-767-1739 or 1-877-4MD-DHMH or for MD Relay Service 1-800-735-2258 for more information.

#### *If you live in the community:*

The waiver cannot accept new community applicants at this time. A Service Registry was developed for interested community individuals, please call the Waiver Services Registry at:

**1-866-417-3480**

## Community First Choice

Maryland's Community First Choice option provides community services and supports to enable older adults and people with disabilities to live in their own homes.

### AVAILABLE COMMUNITY SERVICES

- Personal assistance services
- Personal Emergency Response Systems
- Technology
- Environmental Assessments
- Accessibility Adaptations
- Consumer Training
- Supports Planning
- Transition Services
- Nurse Monitoring
- Home Delivered Meals

**CFC Participants are also eligible to receive other Medicaid services which may include:**

- Physician and Hospital Care
- Pharmacy
- Home Health
- Laboratory Services
- Mental Health Services
- Disposable Medical Supplies
- Durable Medical Equipment

### WHO SHOULD APPLY

Maryland residents who need support with activities of daily living, such as bathing, grooming, dressing, and accessing the community.

### ELIGIBILITY GUIDELINES

#### *Medical and Technical Criteria*

- Individuals must require an institutional level of care based on a uniform medical assessment.

#### *Financial Criteria*

- An individual's income and assets are reviewed to determine financial eligibility for community Medicaid.
- Medicaid coverage is for individuals determined to be categorically eligible or medically needy.
- Medicaid coverage is automatically given to individuals receiving certain other public assistance, such as Supplemental Security Income (SSI), Temporary Cash Assistance (TCA), or Foster Care.
- On January 1, 2014, Medicaid will cover more adults ages 19 to 64, whether they have children or not.
- A single person can make up to \$15,856 per year and qualify for Medicaid.
- Medicaid coverage information can be found at <https://mmcp.dhmf.maryland.gov>

### PERSONS INTERESTED SHOULD:

Contact Medicaid's Long Term Care and Waiver Services at: 410-767-1739 or 1-877-4MD-DHMH or for MD Relay Service 1-800-735-2258 for more information.



STATE OF MARYLAND

**DHMH**

*Martin O'Malley, Governor*

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Maryland Department of Health Mental Hygiene

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Community Integration Programs

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