



## **Commission on People with Disabilities**

January 9<sup>th</sup>, 2019

### **Welcome and Approval of December 2018 Meeting Summary Minutes:**

Seth Morgan, Chair, convened the meeting. A motion was made to approve the December 2018 Meeting Summary Minutes. The motion was seconded. A vote was taken, and the December 2018 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

**Briefing and Discussion of the Work Group on Meeting the Needs of Residents with Developmental Differences – Kim Mayo, Department of Health and Human Services; Claire Funkhouser, Parent Representative; Susan Hartung, Parent Representative and Co-Chair of the DD Advisory Committee of the Commission; Susan Ingram, Community Support Services/InterACC/DD; Karen Morgret, Commissioner and Treatment and Learning Centers Outcome Services; and Linda McMillan, Senior Legislative Analyst, County Council**

### **Report:**

[www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/20181126/20181126\\_HHS1.pdf](http://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/20181126/20181126_HHS1.pdf)

**PowerPoint:** [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/HHSCommitteeNov262018.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/HHSCommitteeNov262018.pdf)

In December 2017, the Council adopted Resolution No. 18-989, that requested the formation of a work group to report on meeting the needs of residents with developmental differences (developmental disabilities). While the work group requested was not convened because of competing demands, the Developmental Disabilities Advisory Committee (DDAC) of the Commission on People with Disabilities graciously agreed to forgo its regular meetings and take on the task of reporting to the Council. All members of the Advisory Committee were invited to participate, and invitations were sent to the agencies and departments included in the Council resolution.

Linda McMillan, Senior Legislative Analyst, County Council, read through the PowerPoint. The full report includes system-wide recommendations, stories, experiences, data and information on FY19 County funding related to developmental disabilities, and a series of white papers.

Linda noted one system-wide recommendation is for the Maryland Developmental Disabilities Administration (DDA) to use its full budget allocation to support more people instead of ending the year with surpluses. It is estimated that \$1,000,000 has gone back in to the State's general fund. The money should instead be used to serve more people on the waiting list and waivers.

Claire Funkhouser, Parent Representative, explained that individuals with developmental disabilities who are in the school system are entitled under Federal law to certain education services. After age 21, these services do not carry over into adulthood as an entitlement. . The eligibility criteria are also different for adult services. Advocates are concerned as DDA has systematically changed the eligibility criteria resulting in some

individuals no longer able to receive services they had been receiving. Those individuals not eligible for DDA services include those who may not have legal status, or their disability is not considered severe enough. Second, DDA eliminated the Individual Support Services waiver which used to be a flexible funding source. 1,500 individuals were taken off of case management and eliminated from services they were receiving over the last year. Larry Bram, Commissioner, noted that DDA has said they only know about 30% of individuals on the wait list or those getting services. DDA estimates there is 70% of the population they don't know about that are not receiving any services.

It was noted the County should focus more on Transitioning Youth (TY). The County used to have a staff person that worked with TY, specifically with individuals who had severe developmental disabilities and who were going to be eligible for DDA services once they exited the school system. Staff would assist parents in navigating the system. Kim Mayo, DHHS, said when Montgomery County was responsible for Resource Coordination there was a coordinated and organized process with very few residents slipping through the cracks. Now there are 5 CCS providers and there are gaps in TY. Some individuals may not be eligible or are wait listed to get a coordinator. It is definitely an area to focus on. It was noted that for many years HHS had funding for Individual Support Services which was helpful to provide services. This funding is no longer available.

Person-centered planning requirements are creating a problem for Coordination of Community Services (CCS) providers as due to the more complex planning service, they are now providing more one-on-one supports with no increase in staffing. In regard to funding and staffing, Health & Human Services is under different constraints in terms of budget, staffing and authorization than private sector entities. There are also concerns under person-centered planning that if a service provider has a planned activity for multiple people and one of those individuals decides not to participate the provider must find staff to accommodate that individual. It is difficult to plan for those last-minute staff changes.

In regard to employment, there were discussions around what DDA Employment First means and how to incentivize employment and creating employment individuals will enjoy. Under Employment First a job for an individual with a developmental disability should offer the same opportunities as everyone else. The goal is to move individuals away from sheltered workshops into the regular work force. Jobs can no longer be carved out. This could create issues for persons currently employed and happy in the community. It was recommended that the County should create its own vision of meaningful employment and advocate with the State for its vision.

Karen Morgret, Treatment and Learning Centers (TLC) Outcome Services, said under the new rate settings study all discussions with employers must occur face to face, even if the issue can easily be solved by a phone call, as phone calls cannot be reimbursed. Under the new system, clients must also be present with their case worker during job development, when in the past this could be completed by the case worker. There are also concerns that they will not be able to assist their clients with other issues, such as housing, and TLC may have to apply for another waiver in order to provide that kind of support.

HOC was recently approved for 99 housing choice vouchers which is important as many adult children with developmental disabilities are still living with their parents and need affordable housing to be independent.

Montgomery County Police Department has an Autism, Intellectual, Developmental Disabilities (IDD) and Alzheimer's Outreach Program as well as an Autism Ambassador.

In regard to respite care, there was a discussion to make sure individuals who were eligible for state-funded respite care were receiving it in place of county-funded respite care.

Susan Ingram, Community Support Services / InterACC/DD, discussed the Coordinating Alternative Paratransit (CAP) program that was started several years ago. It was a grant project between CSS and WMATA to provide specialized transportation to individuals who had intensive transportation needs. Rides were completed by the same company and same driver every time. The program was successful and was less costly than a typical MetroAccess ride. Maryland Department of Transportation decided to not continue the program. WMATA has since created the Abilities Ride program as an alternative transportation option. The work group recommends that the County reinstate the CAP program or develop other options.

Gabe Albornoz, new Councilmember and new Chair of the HHS Committee has made a commitment to follow-up on this report. The priority of the County is to have the rate setting study move forward and try and leverage more Medicaid dollars to work with our local providers. Montgomery County has also included the following in their priorities for the State's 2019 Session:

- ***Medicaid Match for County Funds Used to Supplement Wages Paid to Developmental Disability Providers Serving County Clients.*** The Montgomery County Department of Health and Human Services (DHHS) received permission from the Maryland Department of Health's Developmental Disabilities Administration (DDA) in 2016 to apply for Medicaid matching funds, contingent on DDA completing a rate-setting study and releasing new DDA provider rate information. The release of the new rates has not yet occurred. This delay has prevented DHHS from applying for Medicaid matching funds for the past three years, which leaves potential federal dollars unclaimed. As the State Delegation budget committee members review the DDA budget, the County asks for assistance to ensure that the State remains supportive of the County's efforts to secure federal matching funds and the application can proceed within the current rate structure. Adjustments can be made in the future when the updated provider rates are released.

The County Council Committees will begin meeting again next week. Next steps include sending the report to DDA and the Maryland Secretary for the Department of Health as well as several key members of the Maryland State Delegation that serve on various committees. Many members of the State Delegation are discussing the recommendations made in this report and the Office of Intergovernmental Relations (OIR) has received positive feedback. It was noted that while staff from DDA did not attend the Council's work group meetings, many had been attending the DDAC meetings frequently. OIR will be presenting the issues to the Delegation on January 11.

Neal Carter, Commissioner, heads the Commission's Legislative Work group and he asked how the Commission can be of assistance. Linda said if the Commission is interested in being a partner in the advocacy work for the report we can work with Melanie Wenger, OIR. Linda expects the County Council will be looking at ending the DDA surpluses as well as getting information on the rate setting study. There is not much to be done in terms of legislation because of a lot of the recommendations involve the budget and implementation. Betsy Luecking, Staff, noted it would be important to have the County Executive and County Council write letters to State reps and put pressure on them as recommended in the reports

Betsy noted she would like to discuss at the DDAC meeting on Monday how to implement this report, especially the key recommendations. Historically, it has been the responsibility of state governments across the country to care for and provide services for people with developmental disabilities. It would be a great outcome for the State to increase its rate and reducing the financial burden to the County. The County also needs to look at individuals who are not eligible for DDA services due to lack of citizenship or their disability is not considered severe enough.

Seth stated that the Commission will work with the County Council and County Executive in any way it can be supportive.

### **Chair and Vice-Chair Report – Seth Morgan and Trish Gallalee:**

Seth reported the new taxi co-op company Anytime Union Taxi is now accepting ride requests. Anytime Taxi is driver-owned and operated and is specializing in trips for people with disabilities. Website: <https://anytimeuniontaxi.com/about.html>.

Seth reported a meeting regarding bicycle issues and floating bus stops with Councilmember Hans Riemer has been rescheduled for January 30<sup>th</sup>.

Bill 36-18E, which went into effect late October 2018, states that the Transportation Services Improvement Fund (TSIF) is to be used for the purpose of making accessible taxi service available in the County and for no other purpose. The Commission is working with DOT on this issue.

Seth met with new Councilmember Andrew Friedson to discuss Commission issues. He was very receptive and was involved with the ABLE Act at the state level. Councilmember Friedson was a member of the Maryland Commission on Disabilities. He may present at a future Commission meeting about the ABLE Act.

Trish discussed the bike lane issues and suggestions that she sent to Councilmember Hans Riemer: <https://montgomerycountymd.gov/HHS-Program/Resources/Files/A&D%20Docs/CPWD/BikeLaneIssuesandSuggestions.pdf>. Betsy noted that London stopped implementing floating bus stops in their designs due to safety concerns. She suggested that the Commission be more involved with DOT to discuss bike issues.

The Steering Committee will meet next Wednesday, January 16<sup>th</sup> from 5:30pm to 7pm at 401 Hungerford Drive, Rockville.

### **Ex-Officio and Member Updates:**

Avner Shapiro, Commissioner, reported the DHHS Early Childhood Services is moving forward with a pilot program that promotes the use of a universal electronic screening tool by pediatricians to help gather data and information to measure where we are with early intervention and our progress. The pilot program is funded by a grant applied for by the Infants and Toddlers Program.

Charlie Butler, Department of Recreation (DR), reported summer camp registration opens January 22<sup>nd</sup>. He also noted that over the next 9 weeks basketball will be taking over many recreation centers. Charlie attended a meeting last month with agencies to discuss recreation opportunities for people with developmental disabilities.

Susan Hartung, Co-Chair, DDAC, reported DDAC will meet on Monday, January 14<sup>th</sup> at Health & Human Services Building, 401 Hungerford Drive, 1<sup>st</sup> Floor 1A Conference Room, Rockville, MD 20850.

Denise Isreal, Department of Transportation (DOT), reported DOT has been collaborating with WMATA to provide travel training for students with intellectual disabilities. A training has already been held at Clarksburg High School and another is scheduled for Tilden High School. Students learn how to use the bus and WMATA is taking photos for students and making their fare cards. Denise and Shawn Brennan, Mobility Manager, Aging & Disability Services, will be presenting at the Arc Montgomery County Transition Times meeting next week to discuss transportation options for children with intellectual disabilities who are transitioning.

### **Announcements:**

None.

**Next Full Commission Meeting:** Wednesday, February 13<sup>th</sup>, 2019 from 6pm to 7:30pm at Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockille, MD 20850

**Steering Committee Meeting:** Wednesday, February 20<sup>th</sup>, 2019 from 5:30pm to 7pm at Health & Human Services, 401 Hungerford Drive, Conference Rooms 1A/1B, Rockville, MD 20850

Submitted by: Carly Clem, Administrative Specialist I  
Betsy Tolbert Luecking, Community Outreach Manager