



## **Commission on People with Disabilities**

June 13<sup>th</sup>, 2018

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

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

### **Update on Early Childhood Disability Screenings – Commissioners Avner Shapiro and Larry Bram**

**PowerPoint:** <http://montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/InitiativetoImproveEarlyInterventionv2.pdf>

Avner Shapiro, Commissioner, reported that he and Larry Bram, Commissioner, have been meeting and working with County officials, Montgomery County Infants and Toddlers Program (MCITP) staff, experts at academic institutions, representatives from the American Academy of Pediatrics (AAP) at the state and county level, pediatricians, area providers, and many other stakeholders about early intervention for infants and toddlers with developmental disabilities. They have been supportive of the overarching initiatives for early identification, referral and intervention and broadly supportive of the following five elements:

1. Have the County partner with AAP and non-profits to promote screening and referrals among pediatricians, child development centers, and parents.
2. Promote a unitary electronic screening and data management tool for use by pediatricians, county clinics, private providers of intervention services and the County's DHHS.
3. Expand MCITP's partnering with local child development centers so that where appropriate, the County can provider comprehensive, inclusive center-based programs and therapies.
4. Aggregate and analyze data collected with the electronic tool to better understand rates and efficacy screenings, referrals, and linkages with evidence-based interventions with the County. Analysis of data will enable the County to obtain a better understanding of the scope and nature of the challenges and whether the initiative is leading to tangible results.
5. Where parental privacy waivers are obtained, individualized data obtained through the electronic tool should be shared among pediatricians, MCITP, Montgomery County Public Schools and intervention service providers.

Based on these elements, the MCTIP applied for a grant from the State Department of Education to fund a pilot program of one part of the initiative. The electronic tool would allow people to share information. MCTIP has said they are ready to respond to more referrals and provide services and placements.

Avner noted that due to other initiatives there has been 100% increase in the number of children served by Maryland's Infants and Toddlers Program since 2003. AAP data suggests that if early intervention is made and evidence-based intervention is given for one year there is a 30% to 40% chance the child will lose their disability. It was noted that according from the Centers of Disease Control overall 1 in 60 children in Maryland have Autism with 1 in 37 boys having Autism and 1 in 179 girls having Autism. In Maryland, each year at least 30,000 children are at risk of entering school with undiagnosed developmental delays, but only 15,000 receive any services through Part C of IDEA. According to one study, there are children with Autism in Maryland who were neither identified as having Autism or provided with early intervention services prior to age 4.

AAP estimates that only 1 in 3 children are being screened for a developmental disability by pediatricians in Montgomery County. Children should be screened four times by the age of 3 – at 9 months, 18 months, 24 months, and 30 months – and twice for Autism at 18 months and 24 months. Pediatricians may not be conducting screenings due to issues relating to reimbursement, workflow, screening tools, lack of training, or apprehension. Avner noted that it is important for a child to receive a diagnosis of Autism from their pediatrician in order to receive the insurance benefits that cover services. As of 2014, under Maryland law, insurance companies and HMOs may not limit coverage for medically necessary habilitative (therapeutic) services.

A workgroup was convened to explore the issue and best practices were researched across the country. Prince George's County has a good program as well as Orange County, California and Rhode Island, which has a statewide initiative. The workgroup is not asking the Commission to request County funding at this point. They would like the Commission to support the initiative and draft proposal of the five elements.

The floor was opened to question.

Kathy Mann Koepke, Commissioner, noted that Montgomery County has a high percentage of non-native English speakers who are learning English and this population can be difficult when identifying Autism due to language barriers. She suggested the electronic tool have the capability to be translated into other languages. She also noted that there is a disparity between what is spoken at home and what is spoken in the community.

Day Mohamed, Commissioner, asked if the draft proposal specifically names a software that should be used as the electronic tool. Larry said the proposal does not indicate any particular software or company. The County would put out a Request for Proposal seeking a product.

Tom Liniak, Commissioner, asked for the points to be made clearer. Avner asked if the Commission would be willing to support the following five principles: increase identification; increase screening; increase referral for treatment and early intervention; data collection; and engaging individual data sharing.

A motion was made for basic support for five principles as well as changing the wording for element number 5 to remove the specific software name. The motion was seconded. A vote was taken, and the motion was unanimously approved.

### **Progress in Complying with the Americans with Disabilities Act – Nancy Greene, ADA Title II Compliance Manager, and Dennis Pillsbury, AIA, Title II Compliance, Department of General Services, Montgomery County Government**

**PowerPoint:** <http://montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/ADAComplianceinMC.pdf>

Nancy Greene, ADA Title II Compliance Manager, reviewed the history of ADA Compliance in Montgomery County. After the ADA was passed in 1990 the County's Department of Family Resources took the lead and established an ADA Coordinating Committee in 1992. Included on this Committee were Nancy Greene, Betsy Luecking, and the Chair of the Commission on People with Disabilities. Commission members were also consulted on a number of issues that came up regarding buildings, curb cuts, etc. From 1992 to 1993, the County completed a self-evaluation and developed a transition plan. The transition plan for buildings was completed by 2001 and 181 buildings were assessed. The transition plan for sidewalks and curb cuts is an ongoing project that is funded by the Department of Transportation (DOT). Due to these funds, when truncated domes (detectable warnings on curb cuts) were put into the ADA requirements, the County was able to install them quickly.

The [Bus Stop Improvement Program](#) started in 2006. All 5,264 bus stops in the County were surveyed. Some Commissioners assisted on site visits and provided input. This program is ongoing. The Federal Transit Administration awarded the County for their work on this program. Nancy reported that she and Stacy Coletta, Ride On Customer Amenities Unit Manager, have given two webinars on bus stop improvements and have received many calls all over the country who were interested in more information.

In 2015, DOT also surveyed, assessed and developed a capital budget project for accessible audible pedestrian signals (APS). DOT reviewed intersections maintained by the County that were scheduled for rehabilitation. Those intersections automatically had APS installed. Remaining intersections were rated and prioritized using a national survey tool. The County has funding to install APSs at five intersections every year. The State of Maryland is required to install APSs on all state roads.

In 2006, the Department of Justice (DOJ) began a survey of Montgomery County as part of their Project Civic Access initiative. DOJ surveyed 110 buildings. DOJ also reviewed the County's emergency operations plan, website accessibility, 911 system, effective communication (particularly with law enforcement and corrections), and employment practices and trainings. The County received DOJ's findings in 2009. The County used a firm that conducts building reviews to visit the buildings noted in the DOJ report for photo documentation. Some of the buildings belonged to Metro or to the state. The County signed a settlement agreement in 2011 and then began implementation of that agreement.

As a result of Project Civic Access, the County established an ADA Commissioning Procedure for new construction and alterations. This idea came out of the Commission. Members recommended that ADA experts review buildings for accessibility. The County worked with two experts – John Salmen with Universal Designers & Consultants and a former Commission member, and Mark Mazz, an architect who worked for DOJ and developed the transition plan for the University of Maryland. They review new construction from the beginning plans to post-construction and conduct site visits during construction.

The ADA Office has also provided basic ADA training to 8,500 County employees as well as targeted ADA training to various departments. Anil recently trained the Urban District in Silver Spring / Wheaton and Bethesda and trained the cleaning staff and building service workers. They are currently training the 311 operators using an online system. An ADA website was created and there is a dedicated e-mail and phone line for residents to reach the ADA Office.

The County has expanded its sign language interpreting contract, which now includes video remote interpreting and CART. Website accessibility standards have also been developed and compliance software was purchased. There are more improvement plans underway for the website including making the County's online maps accessible, such as the snow removal map.

Nancy noted that building remediation can take longer than expected due to several factors including working around the buildings operational hours and older buildings that may have other issues such as old pipes. 35 facilities have been completed, 31 facilities are undergoing remediation currently, and 6 facilities have not had work started yet. The County has also surveyed 60 facilities that were not included in PCA and 13 of those facilities have been completed.

Dennis Pillsbury reviewed several before and after photos of facilities that show the type of remediation work being completed. Examples included moving an automatic door opener to a location that allows the user to open the door without being in the way of the door opening, installing an accessible ramp instead of relying on a stairlift, which can break down, and adding and increasing accessible parking. Dennis reported that there are no tolerances and that they are very strict with contractors to ensure they are in compliance with the ADA. Parking and paving projects must meet slope requirements and will be redone if not completed correctly the first time. Dennis also noted that there are over 30 items that must be checked to verify compliance of an accessible toilet.

Nancy added that DOJ now requires in their settlement agreements that jurisdictions hire DOJ-approved ADA architects to assist with remediations. She noted that over time the County's contractors are learning ADA compliance and incorporating requirements automatically.

Nancy reported on the progress the County has made over the years. In 2001, the ADA Office regularly received Ride On bus complaints including the lifts not being operational or stop announcements were not being made. Today, all Ride On buses are equipped with low floors and automatic announcements. Complaints to the ADA Office have been significantly reduced. The County's 911 system is fully compliant, but the current technology does not accept text calls. DOJ was going to implement a new ruling on ADA compliance for 911 but has pulled back on their ruling. The County has decided to move forward to transition to the Next Generation 911 system, which includes texting and better GPS location services.

This system is expected to be operational by early next year. In 2001, two advocacy groups could not come to an agreement regarding APSs in a meeting with Betsy. Today, the County has improved APS equipment and has an ongoing program to install these at intersections.

In 2001, the ADA Coordinator was located in Health and Human Services and had an operating budget of \$6,000, which at one point was reduced to \$600. Today, the ADA team has six members, is located within the Department of General Services (DGS) and has an ongoing Capital Improvements Budget (CIP) of \$4,000,000.

Francie Gilman, former County employee with the Montgomery County Public Libraries, has been hired as a contractor to create a wiki-based knowledge website for County employees to review information on ADA compliance as well as a complaint database so employees can review examples of how complaints have been handled. Nancy noted that a new County Executive and new County Councilmembers will be in office next year and it will be important to educate them on changes in technology, new programs and services, new buildings and changes that impact compliance. Nancy asked the Commission to continue to raise and maintain ADA and disability awareness.

Nancy introduced Angela Dizelos, Division Chief for DGS Central Services, who will be acting as the ADA Compliance Manager until the position has been filled. The job posting will be available until July 7<sup>th</sup>. Angela thanked Nancy for her years of service and for advocating for ADA and accessibility. Angela noted that ADA within DGS is funded by the CIP, not the operating budget. The CIP is submitted every six-years and is an opportunity to update the scope or advocate for more money. With the election of a new County Executive and new County Councilmembers it may be wise to keep an eye on ADA funding. Betsy stated the Commission has advocated for CIP funding in the past.

The floor was opened to questions.

Avner asked how long the County has to finish everything that was noted in the settlement agreement. Nancy stated it was supposed to be a six-year period, but the County has already passed that mark. The agreement will be closed once all the work is completed. Her office as well as Bob Green's office with Montgomery Parks send DOJ a report every year with updates including pictures and details of each project. They also work directly with a DOJ investigator. Any ADA facility complaints received by the County are shared with this investigator. Nancy noted that a requirement of the settlement agreement is for the County to review all facilities that were not included as part of the DOJ survey after the settlement agreement is closed.

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

Seth Morgan, Chair, reported the Commission will be able to meet at its regular location at the Executive Office Building for the upcoming months – September through December. Betsy will send out reminders to Commission members.

Seth will be attending a meeting at Councilmember Berliner's office next week to begin rewriting the language for the transportation improvement fund. He will notify Commissioners on any updates.

**Ex-Officio and Member Updates:** None.

**Announcements:** None.

**Next Full Commission Meeting:** **Please note there are no full Commission meetings in July or August**

Wednesday, September 12<sup>th</sup>, 2018 from 6pm to 7:30pm at Executive Office Building, 101 Monroe Street, Lobby Auditorium, Rockville, MD 20850

**Steering Committee Meeting:** Wednesday, September 19<sup>th</sup>, 2018 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