



## Commission on People with Disabilities

May 10th, 2017

### Welcome and Approval of April 2017 Meeting Summary Minutes

Seth Morgan, Chair, convened the meeting. A motion was made to approve the April, 2017 Meeting Summary Minutes. The motion was seconded. A vote was taken and the April, 2017 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

### Accomplishments and Goals of the Maryland Department of Disabilities (MDOD) – Carol A. Beatty, Secretary, MDOD

Website: [www.mdod.maryland.gov](http://www.mdod.maryland.gov)

PowerPoint: [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MDODMay2017.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MDODMay2017.pdf)

MDOD was created in 2004 by then Governor Ehrlich. MDOD is charged with coordinating and improving the delivery of services to individuals with disabilities in the state of Maryland. By working collaboratively with all State government agencies, MDOD provides advocacy and guidance to ensure that State entities deliver services in the most integrated settings possible, develop consistent policies affecting those with disabilities, and consider the diverse needs of all when making decisions which impact Marylanders. MDOD focuses on independence and full community membership through its programs which address accessible housing, employment, transitioning youth, community living, technology assistance, barrier free living, and transportation. This focus is one which consistently has an eye to economic growth through strengthening of a diverse workforce and provision of the efficient and effective supports necessary for full participation in our state's economy.

Maryland is the only state in the country that has a separate Department of Disabilities and is the only cabinet level department in the United States that focuses exclusively on cross-disability issues. The statutes require that either the Secretary or Deputy Secretary of the Department have a disability. Both Ms. Beatty and Deputy Secretary Bill Frank have a disability. Bill Frank is a former Congressional Delegate. MDOD has a staff of 35 employees. A staff person for Health and Behavioral Health was recently added. The Department's total budget is \$13,000,000, with approximately ¾ of that coming from the Promise Grant. Maryland is one of six regions that receive the grant from the Department of Education.

The Maryland Commission on Disabilities serves as the advisory body for MDOD. The Commission meets with the Maryland Alliance yearly, typically before the legislative session starts in order to generate ideas that can be taken back to the Governor and Governor's staff.

The Inter-Agency Disability Board is made up of many of the State agencies that serve people with disabilities, fund and regulate services, and create new services. MDOD is the connector to these other State agencies. MDOD has also assisted various state agencies in obtaining Federal Grants, specially for the Department of Labor, Department of Education, and Health and Human Services.

The State Disabilities Plan provides for the coordination of those State services and policies that ensure compliance with State and federal civil rights laws and provide community-based supports, emergency preparedness, housing, transportation, employment, health care, accessible technology, education, and family supports to Marylanders with disabilities. The State Disabilities Plan provides a framework for delivering, monitoring, and striving for improvement in these services. Progress is measured annually by the Department of Disabilities. Input and feedback for the plan is received from the community as well as the Maryland Alliance and other groups. The 2016 – 2019 plan is organized into four different areas: self-direction, financial well-being, maximizing resources, and accessible communication. Please review the Plan for more information: [http://mdod.maryland.gov/pub/Documents/post%20sdp%20\(1\).pdf](http://mdod.maryland.gov/pub/Documents/post%20sdp%20(1).pdf).

## Services and Programs of MDOD:

- **Access Maryland:** An internal grant program that brings state-owned facilities into compliance with State and Federal mandates requiring access for persons with disabilities.
- **Attendant Care Program:** Provides financial reimbursement to individuals with long-term or severe physical disabilities who require attendant services such as in-home assistance with personal care, household chores, and transportation. It is the only self-directed attendant care program in the state.
- **Constituent Services:** Provide information and assistance to individuals as they navigate the human services system so they can advocate for themselves in order to receive quality, comprehensive, and consumer-directed services. **Areas covered:** Areas Covered: ADA, Developmental Disabilities, Education, Transportation, Emergency Preparedness, Deaf and Hard of Hearing, Mental Health, Legal Issues, Employment, Workers' Compensation, Veterans, Personal Attendant Care, Medicare/Medicaid, Disability Benefits, and Housing. **Contact:** Nan Brittingham, 410-767-3660 (V), e-mail: [nan.brittingham@maryland.gov](mailto:nan.brittingham@maryland.gov).
- **Maryland (MD) PROMISE:** For Maryland youth between the ages 14-16 receiving Supplemental Security Income (SSI) benefits and their family members. MD PROMISE can help youth find a job that matches their interests and skills; complete high school and receive a diploma; connect with support services to help them become more independent; get information to help them enroll in postsecondary education and training; and teach them how work can increase their income.
- **Transitioning Youth:** Focus on providing transition youth services to ages 14 to 22. MDOD also works closely with Maryland State Department of Education regarding special education and early intervention services.
- **Maryland Technology Assistance Program (MDTAP):** Low-interest financial loan program, designed to assist Marylanders with disabilities in financing equipment and items to help them live, work, and learn more independently. An assistive technology lending library is available at Division of Rehabilitation Services (DORS) in Baltimore City where individuals can test equipment. Staff can assist in using items and answer questions. There is also a smaller library on the Eastern Shore in Salisbury that is maintained by the Centers for Independent Living. To request a tour, call 1-800-832-4827 or complete an [online request](#).

## 2017 Legislation Session Recap:

- Senate Bill 180, the Independent Living Tax Credit Act, provides for a tax credit up to 50% of the total cost of improving accessibility and visitability to an existing home, with a cap of the tax credit at \$5,000 during the tax year that the renovations are completed. This legislation contributes to the overall goal of self-direction by expanding financial options in home modification to give more Marylanders more choice in how their living space is customized to fit their needs.
- Senate Bill 872 establishes the James W. Hubbard Inclusive Higher Education Grant Program to award competitive grants to higher educational institutions in Maryland to develop and implement programs to provide students with intellectual disabilities an inclusive higher education experience. This legislation adds to the nationwide trend of expanding educational choice for students with intellectual disabilities.
- Senate Bill 344, clarifies several provisions of the ABLE (Achieving a Better Life Experience) Act, passed in 2016. Maryland's ABLE Act provides persons with disabilities and their families with tax advantaged ways to save for a myriad of disability-related expenses without losing access to federal benefits such as SSI and Medicaid. This follow-up law to the ABLE act enriches financial well-being by clarifying IRS regulations for eligible Marylanders with disabilities and their families.
- House Bill 128 will add three State agencies to the Interagency Disability Board. The Interagency board develops the State Disabilities Plan and its membership includes state agencies representing the intersection between their respective agency's policies and services and the Maryland disability community. MDOD will add the Department of Juvenile Services, the Department of Public Safety and Correctional Services, and the Governor's Office on Crime Control and Prevention to the Interagency Board. This change will maximize resources to ensure the disability-related policies and services in regard to crime control, public safety, and correctional services are embedded in the overall State Disabilities Plan development moving forward.

## MDOD Updates:

- The ABLE (Achieving a Better Life Experience) Act passed in 2016 and is implemented by Maryland 529, formerly known as the College Savings Plan. The ABLE Act limits eligibility to individuals with significant disabilities with an age of onset of disability before turning 26 years of age. Individuals can choose to roll over your account from one state to another. The 529 Board has hired a Director for the ABLE Program as well as a Community Outreach staffperson. An RFP has gone out for a Program Manager. They hope to fill the position in June / July and have the program available starting in October / November 2017. For more information, please visit: <https://maryland529.com/MDABLE>.
- There is \$250,000 in the FY18 DDA Budget to assist colleges who have expressed in interest in starting post-secondary opportunities for students with intellectual disabilities. University of Maryland Baltimore College had a four-year pilot program for young adults with intellectual disabilities that is closing. MDOD is anxious to find a university or college that is interested in creating a similar program.
- MDOD is partnering with the Maryland Higher Education Commission, The State Education Department, DORS, DDA, and the Maryland Coalition for Inclusive Education. The University of Maryland Office of Education is receiving a \$25,000 technical grant. This funding will allow MDOD to host symposiums for 2-year and 4-year programs. The symposiums will feature speakers from CINC College and other national speakers on this topic to engage interest in colleges and universities. St Marys College of Maryland is interested, but as they are a smaller college their program size would be very limited.
- This year MDOD will celebrate the 27<sup>th</sup> anniversary of the ADA with a traveling disability history tour throughout Maryland during July and August of 2017. The tour will start in Annapolis and then travel to the Eastern Shore, Western Maryland, and Baltimore City.
- MDOD is also coordinated the event Brave in the Attempt, a personal story telling platform to encourage those with disabilities to serve as mentors and role models for others with disabilities and the wider community. The event in Towson on June 7<sup>th</sup> will kick off the Special Olympics summer games in Towson. MDOD is partnering on this project with the Special Olympics and DDA. All the short stories will be archived on the StoryCorps website and at the Library of Congress.
- MDTAP is planning a summit to discuss the reuse of durable medical equipment and assistive technology. They will partner with DDA, Department of Health and Mental Hygiene, the Department of Aging, the Department of Human resources, and local loan closets. MDTAP will also be reviewing other State plans for input.
- The Department of Aging has received a Federal grant and is working with MDTAP to have their staff be trained as Options Counselors on the use of assistive technology in all Maryland jurisdictions.

The floor was then opened to questions.

Kathy Mann Koepke, Commissioner, asked if the Maryland ABLE Program follows the Federal programs requirement that participants be 26 years or younger. She noted that many adults develop a disability later in life and are therefore exempt from using this program. Ms. Beatty said there are very few variables the State can change due to it being a Federal program that is maintained by IRS. There has been activity at the national level with national advocates trying to extend the age upwards, but she is not aware of its current state.

Larry Bram, Commissioner, asked if there will be a seamless process to transfer to Maryland from other State plans. Ms. Beatty noted that the Board is very interested in maintaining an easy process. The ABLE legislation allows the State to give a state tax credit similar to the College Savings Plan.

Cindy Buddington, Commissioner, asked why retirement income is included in the asset assessment for attendant care program. If an individual must reduce their retirement prior to using the program than they incur a penalty and run the risk of running out of retirement funds. Ms. Beatty said she will take the comments back to MDOD staff to discuss with them.

Christopher Moy, Montgomery College, reported that Montgomery College has an existing program for adults with developmental disabilities. He asked if the funds for higher education programs could be used by colleges or universities to increase their current programming. Ms. Beatty suggested he review the legislation as that is how the group will be moving forward to decide how the funding will be spend. Maryland Higher Education will be the lead agency for these funds.

Ms. Beatty encouraged Commissioners to contact her office if they have questions or need more information:

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Carol Beatty, Secretary: 410-767-3661 (V), e-mail – [carol.beatty@maryland.gov](mailto:carol.beatty@maryland.gov)

William J. Frank, Deputy Secretary: 410-767-3665 (V), e-mail – [william.frank@maryland.gov](mailto:william.frank@maryland.gov)

### **Developmental Disabilities Advisory Committee (DDAC) and the DDA Community of Practice and LifeCourse Framework / Supporting Families – Susan Hartung, Co-Chair, DDAC**

Susan reported that DDAC had a great presentation from Mary Ann Breschi, Director of Family Supports, DDA, regarding DDA formally adopting Community of Practice and LifeCourse Framework and recognizing all that families do, have done, and will continue to do. DDAC believes that DDA’s main mission should be ‘families first’. Montgomery County is very fortunate to have many inclusion opportunities and many great provider agencies that serve residents with most being founded by families. The Committee is concerned about proposed changes with the renewal of the Community Pathways Waiver. The biggest concern is for day services. Currently someone receiving day services can develop a program that meets their needs. Under the proposed regulations, day services for adults will be less flexible. The proposed regulations require different activities in different categories be billed separately. This will mean that people in one service, such as day habilitation, will no longer be able to work or engage in vocational training. Personal Support Services will be divided into two categories making it more complex to receive and deliver services. Behavioral Supports are being limited or capped. Under the proposed regulations, people under age 21 may not be able to access some of the services they need.

Susan noted that when Amendment #2 was proposed 1,000 families from Montgomery and Frederick Counties signed a petition stating their concerns with the proposal. While Mr. Simons has said he has heard these concerns and wants to create a “meaningful day” for individuals, these new proposed regulations have created the same concerns.

There is a two-day symposium scheduled for May 16<sup>th</sup> and 17<sup>th</sup>, but it is during the work day and many parents will be unable to attend.

The Committee was made the following motion, which was sent to the County’s Office of Legislative Oversight for approval to be sent to DDA on behalf of the Commission:

**“We recommend that the Developmental Disabilities Administration (DDA) formally adopt the Community of Practice & the LifeCourse Framework. The principles should be incorporated throughout all DDA programs and policy decisions including the existing Community Pathways Waiver, and any other waivers to be administered by DDA.”**

Susan added that 70% people in the State of Maryland have a developmental disability are not receiving services from DDA and are not on the waiting list. There is concern with the new regulations that number will increase.

Ms. Beatty noted that prior to her current position she was the Director for the Arc of Howard County for 21 years before Governor Hogan asked her to become Secretary of MDOD. She added that it always felt important to her than you include the people most important to those you are planning for and that is typically the immediate or extended family of that person.

Ms. Beatty also noted that there are many changes that are affecting services for people, especially those with intellectual disabilities, as they rely so heavily on the Medicaid Waiver model. With these changes, there are opportunities for providers to become involved and receive technical assistance. MDOD has received ten different technical assistance grants over the last two years that providers could have taken advantage of. She suggested that Commissioners let their providers know of this opportunity.

### **Chair Report**

The [Design for Life Showcase](#) is scheduled for Saturday, May 13<sup>th</sup> from 10:00 a.m. to 2:00 p.m. at the Silver Spring Civic Building.

The Steering Committee meeting for next Wednesday, May 17<sup>th</sup>, will move back to Health & Human Services, 401 Hungerford Drive, 1<sup>st</sup> Floor 1A Conference Room, Rockville, MD. Held from 5:30 p.m. to 7:00 p.m.

Commissioners Avner Shapiro, Larry Bram, and various others have been getting together to discuss the issue of early diagnosis and early identification of developmental delays including Autism Spectrum Disorder and how to encourage that to be achieved by the County, by physicians, and other individuals who make these assessments. The earlier you make the diagnosis, the better chance you have of getting an effective treatment. Please contact Larry if you are interested in joining this workgroup.

The end of the County's fiscal year is June 30<sup>th</sup>. Carly Clem, Staff, will be sending an e-mail to Commissioners with instructions how to request meeting travel and dependent care reimbursement.

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

Nancy Greene, ADA Title II Compliance, Department of General Services, is still working on training all County employees on the ADA. HHS is currently completing their training. Nancy noted that since the training has been made available to employees she has been receiving more phone calls from staff members who have questions. They are also working to provide specialized training to Public Safety, Corrections, Police, and Fire and Rescue.

Charlie Butler, Department of Recreation, reported that the new Recreation summer guide is available: <http://www.montgomerycountymd.gov/rec/resource/guides.html>.

Seth reported that more counties throughout the State are starting a Respect the Space program. He will continue to discuss this program at the Maryland Alliance meetings with other County Commissions. If Commissioners would like training on how to fill out a survey, please contact Betsy. Susan suggested that every Commissioner submit five surveys. Commissioners are asked to please submit photos along with the survey. Survey:

<http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/RevisedChecklistforRespecttheSpace.pdf>

Susan Smith, Housing Opportunities Commission (HOC), has been working with the State Department for Housing and Community Development and some other jurisdictions on the Bridge Subsidy program. HOC is thinking different and will not give out vouchers for these units as vouchers have become uncertain in the current climate. Last month, 400 vouchers were canceled. The Alexander House in downtown Silver Spring is currently being renovated, to include accessibility improvements. Ten units in that building will be given to individuals who use wheelchairs. Those residential units will also include case management. Susan also reported that the Mental Health Spring Forum is tomorrow night, May 11<sup>th</sup>, at 6:00 p.m. at Bohrer Park.

Simone Geness, Montgomery County Public Schools (MCPS), reported that MCPS is continuing to partner with WorkSource Montgomery to get 2,400 MCPS students paid internships in July. MCPS is also committing to providing 240 internships to those students. Simone noted that a resource fair held by the Jewish Federation of Greater Washington, in partnership with Transition Work Group of Montgomery County, was very successful and approximately 200 people attended.

Okianer Christian Dark, Office of Human Rights, reported that a Montgomery County Employment Law information session will be held from 8:00 a.m. to 10:30 a.m. on Tuesday, May 23<sup>rd</sup> at Bohrer Park in Gaithersburg. The event is open to everyone and a complimentary breakfast will be served. Register online at [www.montgomerycountymd.gov/humanrights](http://www.montgomerycountymd.gov/humanrights).

### **Announcements:**

A Behavioral Health Resource Fair will be held on Wednesday, May 17<sup>th</sup> from 5pm to 8pm at Bohrer Park in Gaithersburg. The event will feature more than 45 Montgomery County behavioral health exhibitors. Free admission and parking.

The Countywide Recreation Advisory Board would like a liaison from this Commission to attend their meetings. If you are interested in becoming a liaison to this Board or any other Board, Committee, or Commission, please contact Betsy.

Larry announced that Easter Seals will be opening a Steven A. Cohen Military and Family Clinic in August at their Silver Spring office. The clinic will treat mental health issues including depression, anxiety, post-traumatic stress, adjustment issues, anger, grief and loss, family issues, transition challenges, relationship problems, and children's behavioral problems. The clinic is free to all Veterans of any discharge status, National Guard, Reserves, their spouses and children, with a focus on post-9/11 Veterans. Steve. A. Cohen has put \$300,000,000 of his own money to set up 25 clinics around the country. The Easter Seals Clinic will be the 6<sup>th</sup>. A director for the clinic was recently hired. She retired from 22 years in the Air Force and was responsible for all behavioral health programs for the Air Force.

**Next Full Commission Meeting:** Wednesday, June 14<sup>th</sup>, 2017 – Executive Office Building, 101 Monroe Street, Lobby Level Auditorium, Rockville, MD 20850 – 6:00 p.m. to 7:30 p.m.

**Steering Committee Meeting:** Wednesday, June 21<sup>st</sup>, 2017 – Health & Human Service, 401 Hungerford Drive, Conference Rooms 1A/1B, Rockville, MD 20850

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