



Commission on People with Disabilities

May 13th, 2020

****MEETING WAS HELD VIA CONFERENCE CALL****

Welcome and Approval of March 2020 Meeting Summary Minutes:

Seth Morgan, Chair, convened the meeting. A motion was made to approve the March 2020 Meeting Summary Minutes. The motion was seconded. A vote was taken and the March 2020 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

Accessibility & County Press Conferences – David Rice, Commissioner

David Rice, Commissioner, reported that County Council meetings do not offer closed captioning on their live meetings. He said the majority of the people who rely on closed captioning are older adults who do not use American Sign Language (ASL) because they developed hearing difficulties later in life. David said that automated captions on YouTube are only 85% to 90% correct. He suggested that County staff edit the captions and correct any mistakes once the video has been added to the Council's YouTube site. This is not a unique issue to Montgomery County and occurs across the YouTube platform. David said Governor Hogan has done a good job to provide closed captioning as well as ASL on his live streaming events on Facebook and YouTube. Betsy Luecking, Staff, said David has volunteered to assist on this issue and offer his expertise in overcoming technological barriers. His concerns have already been forwarded to Matthew Barkley, ADA Compliance Manager. Donna Keating, Media Services, Manager, County Cable Montgomery is also aware of the issue. Beth Shuman, Staff, Councilmember Alborno, said this crisis has brought to the County's attention how important it is to communicate with residents and it has been glaring the problems that have been uncovered. She will raise this issue with the Public Information Office (PIO) and her colleagues.

Matthew said the Deputy Director of PIO has responded to these concerns and said the County may not have the technical capabilities to provide live captioning. David offered his expertise in overcoming technological barriers as he works as a Disability Portfolio Strategist in the Office of Equity, Diversity, and Inclusion at the National Institutes of Health (NIH). NIH has been able to provide live captioning in their broadcasts. PIO did note that sign language interpreters are available during County Executive Elrich's live streaming press conferences. The County also does update YouTube captions once they have been posted.

Seth thanked David for pointing out this important issue. As people age they can begin to have hearing difficulties. Seth suggested approaching the Commission on Aging to gain their support on this issue as it affects the aging population. It is important to have the captions available at the time of the press conference for those who do not use ASL.

Trish Gallalee, Vice-Chair, said she reads the captions because the information is so important she wants to see it and hear it. Myra Coffield, Commissioner, said she has a hearing disability and depends on captions. She offered her assistance as well.

David said as a person who is Deaf he is having an extremely difficult time going to the grocery store without his wife and being able to understand what staff or others are saying. He has to write out his questions or responses, but no one wants to touch his paper to respond. People who are blind or have low vision have the issue of not being able to touch people or get guidance. David asked about issues for people who are Deaf-Blind and rely on tactile

communication. Seth asked about the disinfecting of Braille signage and ensuring those who use them are not being exposed to COVID 19.

Beth Shuman, Senior Legislative Aide, Office of Councilmember Gabe Albornoz, asked about issues and concerns of masks for the developmental disability population. Jenn Lynn, Commissioner, has heard that the face masks can be a sensory issue for people with developmental disabilities. Some families are just not going out anywhere. Another issue is that the individuals cannot see the facial expressions of the person wearing the masks which can be frustrating. Jenn Lynn has found that her son can wear the type of masks that do not go around the ears but can be pulled up around the neck. Tom Liniak, Commissioner, said a face mask typically signifies an emergency or medical situation and can produce more anxiety. Plus, these masks are being used to protect against an invisible enemy. There have been reports of people being confined in group homes. A direct service worker wearing a mask can be an interesting visual and some individuals try to touch it pull it off of the worker.

Karen Goss, Commissioner, said the Mid-Atlantic ADA Center is currently addressing at the national level the issues and challenges of masks for individuals with varying disabilities. The Center has shared information regarding masks that feature a clear area over the mouth that can aid in communication. There is currently a commercial shortage of the clear masks. She is aware of a college student that has been making them available to the public. She will send the information to Betsy. David said the clear masks are extremely difficult to get right now. There are two major companies that have been approved by the FDA and they are prioritizing hospitals. One of the companies is ClearMask. The Center is also currently responding to a public news agency request about how masks are being perceived by people with disabilities and how some persons with disabilities are not required to wear them. Karen will share that response with the Commission once it is finalized.

Betsy reported Shawn Brennan, Mobility Manager, has been working with the Department of Transportation (DOT) to find a way to offer reduced fare or no fare for essential workers including hospital staff and personal care workers to get to and from work. MetroAccess and Call-n-Ride have certain eligibility requirements and may not be able to remove them for this purpose. DOT is reviewing the DC essential employee transportation program and looking into the Transportation Services Improvement Fund (TSIF), which is funded by a charge imposed on rides provided by services such as Uber and Lyft. When the bill was enacted, the funding was to provide services to individuals with disabilities and to low-income. There is approximately \$4 million in funding and it seems like an appropriate use of the fund. Shawn said while Ride On buses are currently free to everyone the number of routes has been cut back significantly. DOT has been working to continue particular routes that go by medical centers. Using the TSIF to could be a potential solution to provide transportation for personal care attendants that are having difficulty with getting to their job. It is unclear how many such individuals would need this service as an attendant who is working in someone's personal home may afraid to tell their employer that they have an issue with getting transportation to the job. Shawn suggested Commissioners contact her with any examples or anecdotes they are aware of to help make the case for this solution. Betsy said Walt Harris is working on this along with other DOT staff.

Status of Programs Serving People with Developmental Disabilities – Commissioners John Whittle and Michael Greenberg

John Whittle, Commissioner, reported when the COVID 19 pandemic began in March many of the DDA-funded day programs were closed or limited to the number of people they supported. Residential programs largely stayed opened in Montgomery County and throughout the state. In-home personal supports were limited by many providers as well, although more is being provided now.

Some of the challenges providers face include obtaining sufficient masks and personal protective equipment (PPE) for their direct care workers and clients. Recently local health departments and the state have come forward with more supplies. Providers have also been able to purchase additional supplies on their own and volunteers have been making cloth masks. For many individuals in the residential programs where they continue to receive day-to-day services, wearing a mask is not easy for them and some do spend part or most of their day unmasked. There is also the challenge of receiving sufficient testing which is being experienced by the community at large. There have been a number of individuals in Montgomery County and across the state in residential group

homes and in day services who did test positive for COVID 19 and some cases were severe enough to require hospitalization. A few individuals in Montgomery County have passed away. The National Guard has been assisting larger congregate homes with assessments, testing and materials.

Governor Hogan and Secretary Neall, Maryland Department of Health (MDH), have issued memos and guidance to families, individuals and providers: https://dda.health.maryland.gov/Pages/DDA_COVID-19_Information.aspx.

One of the more recent notices – [Access to Support for Patients with Disabilities in Hospital Settings](#) – requires that all Maryland hospitals adopt visitation policies on or before May 20, 2020, authorizing support persons to accompany, visit and stay in the hospital with individuals with disabilities. Support persons are those who are legally authorized to make decisions for that individual, family members, personal care assistants, or disability service providers. Many advocates asked the state to issue this directive given that during this time individuals in the hospital are not allowed visitors. This can be an issue for individuals who cannot communicate or have no knowledge or understanding of their medical records and who need support.

MDH has also stated that service providers are considered essential businesses and officially designated direct support workers as healthcare professionals. This permits the state to prioritize direct care workers for testing, masks and healthcare, if necessary.

Maryland is not collecting as much state revenue and taxes due to businesses being closed and they project between a \$2 billion to \$3 billion shortfall in revenue for next year. Various state agencies including DDA and MDH are analyzing and studying potential budget cuts, although those decisions are not known yet. Many advocates are writing letters to Governor Hogan and various county and state leaders asking to minimize cuts to services that support people with disabilities in the community.

Funding for providers comes from Medicaid which receives Federal money and describes how providers are funded and how they are to deliver services. The state has petitioned and been approved by the Federal government to make temporary modifications to their waiver so DDA can have more flexibility to adjust how services are funded and delivered in the community. This is one of many changes that are included in [Appendix K](#). John provided some highlights of other temporary changes:

- Eligibility changes to allow for more individuals to obtain access to nursing and behavioral health services.
- Person Centered Planning can develop individual plans by teleconference.
- Allows providers and self-directed services to hire and employ family members who may be supporting the person at home because they are not receiving their DDA services or due to provider staffing capacity.
- Allows a residential provider to more easily open an alternative service location if needed on an emergency basis without having to obtain a pre-licensing check by the state. This would need to happen if an individual in a residence tests positive for COVID 19 or is extremely ill and needs to be moved.
- Increases onboarding and training of new staff allowing training to be given after the person has been hired as well as partial background checks prior to hiring. This has been helpful for providers as there has been a lot of turnover in direct care staff.
- Day programs can begin to provide more services and teleconferencing is available for adult services.

Michael Greenberg, Commissioner, said moving forward the community needs to learn from this situation and develop a more comprehensive and structured emergency preparedness plan. There are hundreds of direct support professionals working throughout the state and Montgomery County every day in harms way taking care of infected individuals and in many cases without full equipment and in really difficult situations. The local level understands the issues, but at the broader state level the needs of congregate setting group homes are not well understood. It was through last-minute efforts that providers and advocates were recognized as essential personnel. The unique needs of group homes must be recognized and planned for in advance. In his professional opinion as a medical provider, Michael is concerned about prematurely reopening the state and is very concerned about putting group homes and providers at further risk.

John said this pandemic has highlighted that many direct care workers are working at multiple providers in order to have a living wage and support their family. If the direct care worker has primary or secondary exposure, the providers have to coordinate with staff.

Deputy Secretary Bernie Simons, DDA, hosts a public webinar every Friday afternoon. He discusses what is new from the state perspective and also features a medical expert that shares information. You must register to attend: https://dda.health.maryland.gov/Pages/Deputy_Secretary%27s_Webinars_on_COVID-19.aspx

[Senate Bill 796 - Developmental Disabilities Administration - Program Changes and Required Report](#) – would have required DDA to delay implementation of new service definitions and LTSS to July 1, 2021. The bill was vetoed by Governor Hogan primarily because it had a fiscal impact note of \$2 million. That figured was contested and is potentially not valid. The Maryland Developmental Disabilities Coalition and other advocates and stakeholders continue to meet with Secretary Neall and his staff periodically to discuss concerns.

Tom said that even though Governor Hogan vetoed Senate Bill 796, many of the changes have been pushed back until July 1, 2021 and will not be enacted on July 1, 2020. While providers will currently operate on the same rate structure, they may face the same problem again next year. JSSA and many other agencies had to become remote overnight without being paid for services. Tom said DDA worked fast to make service requirements flexible to allow people to be served. Tom reiterated that the issue of direct service providers working in multiple group homes in order to provide a living wage and points to the issue of funding and wages. The reason they need to work two or three jobs is because of the existing wage structure. This pandemic has only proven again that direct service providers are essential workers to this community. Tom said if there is a budget cut it will not result in a wage reduction, but a personnel reduction and individuals will not be served.

Chair and Vice-Chair Report:

Seth reported he listened to the County Council's Health & Human Services (HHS) FY21 operating budget session. The Council's approach for FY21 is to maintain currently available programs as much as possible and they will not be looking to initiate or approve any new expenditures. Betsy said she also listened to the HHS FY21 operating budget session and she was encouraged by the tone of the meeting. The Council did not make any cuts and the developmental disability supplement is still in the budget. Beth reported the Council will be setting up a meeting with developmental disability providers and the community to understand current issues. The Council is aware that adult medical day providers have been providing services remotely and this is a critical need. The Council has approved a number of special appropriations to provide food and a number of other critical needs. It is expected that the County will be dealing with this for quite awhile. The Council has a lot of concerns about the County's safety net and certainly the disability community.

Ex-Officio Member Updates:

Marybeth Dugan, Montgomery Parks (MP), reported that parks and trails are open for exercise and visitors are asked to maintain social distancing rules. There are several parkways that have been closed to vehicular traffic and have been opened for pedestrians and cyclists. MP crews have been working 24 hours a day, 7 days a week to make sure the parks are in good standing and good shape. Park Police is providing great communication and enforcement as the weather gets nicer and the parks are more heavily used.

Charlie Butler, Department of Recreation (DR), reported DR has implemented a virtual Rec Room offering classes and free activities including do-it-yourself arts and crafts, fitness videos, virtual trips and tours and fun recreational ideas for any age. Charlie said DR hosted a Zoom dance party that had 90 attendees. Summer camps and some facility rentals have been canceled. DR hopes to offer some summer programming but it will depend if they can use a school or a center. DR has also been working with JCA and Meals on Wheels to deliver meals to seniors. 25 recreation staff, including Charlie, deliver meals twice a week to over 500 seniors. They have delivered 3,500 meals every week over the last five weeks.

Denise Isreal, DOT, reported DOT has partnered with local taxi companies during the COVID-19 health crisis to initiate a new program available to participants in the Call-n-Ride program to use taxis for delivery of essential

goods. The Call-n-Ride Essential Delivery Services programs participating taxicab companies will pick up and deliver from grocery stores, food banks and restaurants to Call-n-Ride participants' doorsteps, with a phone call delivery confirmation. Taxicab drivers wear face coverings and the program provides a contactless delivery service. Users are charged a one-way fee paid from their Call-n-Ride card.

Susan Smith, Housing Opportunities Commission (HOC), reported HOC is delivering meals to most of their senior housing in conjunction with partners. HOC received funding from the Federal Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") to assist individuals with up to three months of rent regardless if they are in an HOC program. An online application will be available later this week. HOC is also calling clients to assess if they can pay their rent or if they need services. HOC is providing behavioral health via teletherapy.

Angelisa Hawes, Montgomery County Public Libraries (MCPL), reported MCPL is offering a wide range of online virtual programming including story hours, art history programs, and book groups. MCPL also offers eBooks and eAudiobooks as well as movies. Angelisa said by offering virtual programming they have attendance up to 300 people and are reaching a wider range of individuals whereas in-person programs had attendance limits due to the size of the room. A full list of available E/Audiobooks, streaming media, online learning platforms, library apps and research databases are available 24/7 at <https://mcpl.link/DigitalResources>.

Announcements:

Larry Bram, Easter Seals, said Easter Seals is making daily care connection calls to adult medical day clients whether or not they receive Medicaid. Nurses are checking on clients, making sure they have necessary supplies, and lessening social isolation. Easter Seals is also delivering food if needed. As adult medical day centers are not able to open until Maryland undergoes Phase 3 of their reopening plan, Easter Seals does not expect to open again until January 2021 and even then most likely at 50% capacity. Larry expects this will cause real issues moving forward as they are receiving further reduced funding for providing virtual adult day medical services. Larry said Easter Seals is also beginning to offer group meetings via Zoom for people who are friends.

Jenn Lynn, Upcounty Community Resources (UCR), said the phone calls to clients are so important to combat against loneliness and isolation which can add complicated medical issues on top of pre-existing conditions. UCR is paying staff to call every person who takes a UCR program. UCR is also offering group Zoom meetings for friends as well as free group therapy Zoom sessions for caregivers and parents who are struggling with having their adult children home from school. Shawn reported that HHS Aging and Disability Services has a Caregiver Support program and the staffperson has been posting helpful YouTube videos designed to ensure caregivers maintain resilience during this time of social distancing. Content includes arts and culture, cooking at home, health and wellness, exercise at home and more. You can view videos at www.youtube.com/channel/UCJqcd7_1_7LejYrHWKU-lrw.

Karen Morgret, Treatment and Learning Centers (TLC), said staff are also checking in on their clients and offering telehealth and virtual services. Every morning a social worker tapes a 15-minute presentation on various topics such as anxiety and that presentation is sent out to the individuals that TLC supports.

Betsy reported that accessibility features are currently being installed at Riley's Lock. One accessible launch for kayaks has been installed and another will be installed at a later time. Betsy encouraged Commissioners to visit the site to view the accessibility improvements. Betsy also reported that she and Carly Clem, Staff, have been working to design a Disability site comparable to the Senior site that was designed by Pio. They plan to release the site to the public next week and would like Commissioners to review it and provide feedback. This site came out of a discussion with Beth regarding the need to provide better outreach and communication with the disability community.

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