



**Montgomery County Commission on People with Disabilities  
Developmental Disabilities Advisory Committee  
Meeting Summary – March 11<sup>th</sup>, 2019**

**Sue Hartung, Co-Chair • Larry Bram, Co-Chair**

**Welcome**

Minutes from past meetings can be found online at:

[www.montgomerycountymd.gov/HHS-Program/ADS/CPWD/CPWDIndex.html](http://www.montgomerycountymd.gov/HHS-Program/ADS/CPWD/CPWDIndex.html), under the tab Developmental Disability Advisory Committee.

**Discussion on Transition, Employment and Housing**

Susan Hartung went over the TY numbers. The Transitioning Youth numbers are from Judy Pattik, Regional Director, Southern Maryland Regional Office, DDA. Sue stated she is very concerned by the numbers and does not feel there is a sense of urgency from families. In a number of cases, “families are slow to submit paperwork, are near impossible to reach or are declining services.” Sue noted that “many (about half) of those not approved to begin services are well underway in the process” and she is hopeful to “see better numbers in the next 6 to 8 weeks”.

**TY17**

Total = 106

89 approved to begin services (SFP submitted and approved)

4 declined services

1 waiver denied due to citizenship

2 on the waiver but not in services

1 waiver pending with EDD

9 not on the waiver

**TY18**

Total = 130

77 approved to begin services

6 declined services

19 on waiver but not in services

4 waivers denied

24 not on the waiver

Simone Geness, Supervisor, Transition Services Unit, MCPS, said they send a letter to every family to invite them to the Transitioning Youth fair, but they never have 100% attendance. They still follow-up and try to connect with those families at another point.

It was asked if individuals with more severe disabilities are not being accepted by providers. Simone said that can happen sometimes. The Transition Services Unit does reach out to private schools and coordinates with non-profits. If there is a difficult case, Margie Parrott, Instructional Specialist, will visit the school and provide assistance with the process.

It was noted that oftentimes there is a delay and staff are still working hard over the summer to place youth, but it is concerning to have only 77 out of 130 individuals placed at this point. Simone said last year some parents were asking for an additional year because they were not ready to make any decisions. It was suggested those families have their children be self-directed and then change services later.

DDA currently bases their assessments of individuals on PCP, Health Risk Screening Tool (HRST), and Support Intensity Scale (SIS). Susan Hartung suggested that MCPS uses these tools for their assessments as well. She suggested that a few committee members meet with MCPS to discuss changing the assessment criteria at least for those transitioning to DDA.

A Federal committee report on employment stated that one of their goals is to have every student leaving high school should have a competitive integrated job. While it is a worthy goal, it may be hard to implement.

Claire Funkhouser will work on TY. Betsy noted that there is currently a Transition Work Group that meets the second Tuesday of every month at TLC in Rockville. She encouraged members of this work group to attend and suggested this Work Group work with them on transitioning youth issues. The Transition Work Group includes parents of young adults with intellectual/developmental disabilities/Autism as well as representatives of adult service providers, state and local government agencies, non-profit organizations and advocacy groups.

The University of Maryland has opened the new Center for Transition and Career Innovation for Youth with Disabilities that is designed to improve college and career outcomes for students and youth with disabilities. Marie Parker has been hired to work there. <https://marylandlearninglinks.org/center-transition-career-innovation-youth-disabilities/>

## **Employment**

Betsy Luecking, Staff, compiled a list of all Administrative Procedure (AP) 1-10 Contracts within Montgomery County Government (MCG). AP 1-10 contracts were started in the 1980's as a way to create customized employment opportunities with carved out tasks for persons with disabilities. Procurement did not know how many contracts were available, so Betsy called each individual agency – Arc of Montgomery, Community Services for Autistic Adults and Children (CSAAC), and Chi Centers. AP 1-10 are Disability Employment Training Services Contracts. All make at least current minimum wage.

### **The Arc Montgomery County**

There are a total of 24 employed people with disabilities with the Arc. Doug Clarke, Vocational Director, explained they have three AP-10 custodial contracts with MCG. All individuals make \$12.25 per hour and are paid by the Arc every two weeks like all of their employees. Individuals work up to 20 to 35 hours every two weeks. There is a direct support individual who works with them and that person makes minimum wage or more dependent on DDA funding. Through this training, at least 3 have later gone on to be hired in integrated competitive employment. Others have been offered jobs and their personal choice was to stay.

- **Potomac Library**

4 persons with disabilities with one direct Arc staff support individual. Persons with disabilities make \$12.25 per hour and will make \$13 an hour July 1. Individuals work 10 to 15 hours per week.

- **Rockville Memorial Library**

5 persons with disabilities with one direct Arc staff support. Minimum wage. 10 to 15 hours per week

- **Public Service Training Academy**

5 persons with disabilities with one direct Arc staff support. Minimum wage. 5 days per week, 18 to 30 hours every two weeks.

- **Material Management**  
3 individuals with disabilities with one direct Arc staff support. Make minimum wage working at night, 15+ hours per week.
- **Montgomery County Correctional Facility in Clarksburg**  
5 individuals with disabilities with on Arc support staff. 5 days a week 4 hours per day. They do janitorial and cleaning services. They pay an additional 10% that is retained to pay Arc staff.
- **Probation and Parole**  
2 individuals with disabilities with one Arc support staff, 5 days a week, 4 hours per day. Minimum wage.

#### **AP 1-10 with CSAAC - 16 employed**

- **Montgomery Public Libraries**  
10 individuals work at Montgomery Public Library sorting facility from 10:00 a.m. to 3:30 p.m. every day and make minimum wage.
- **Department of Transportation**  
6 individuals work 12 to 15 hours a week putting out bus schedules at Metrobus routes.

#### **AP 1-10 with CHI Centers – 4 employed**

- **Department of Transportation**  
4 persons work alongside people who do not have disabilities. They work 6 hour per week sharing between parking sales office in meter shop. They make \$10.95 an hour and work alongside people who do not have disabilities.

Betsy wanted to be proactive and has sent this information to Judy Pattik in the hopes these positions will be approved to have their direct staff support funded by DDA. Susan Ingram stated that the way DDA originally interpreted Competitive Integrated Employment (CIE) is being re-evaluated and it is not final. There is a lot of debate across the state on this issue. If a job is not considered CIE than the providers cannot pay the staff that accompany these individuals on the job. From the feedback received, DDA is realizing they are eliminating customized jobs. Sue Hartung suggested that if the AP 1-10 contracts were approved that more contracts should be added.

The Maryland Division of Rehabilitation Services (DORS) has issued a statement that they are receiving pushback on their AbilityOne contracts. DORS has said each individual will be determined case-by-case.

Since 2012, when Montgomery County voters voted to approve a non-competitive hiring process, 28 people with disabilities have been hired non competitively by Montgomery County, mostly through the Project Search and Customized Employment Internship Project. The County also has a hiring preference for people with disabilities. In the last month two individuals have been hired by the County from AP 1-10 contracts. Individuals have to be able to read and write English and work full-time. There are no part-time employees in County Government that provide custodial services. The majority of the County's custodial workers are contractors. The County only employees 21 custodial merit employees and the rest are contracted workers.

County Procurement offers bonus points to companies that bid on contractors who employ persons with disabilities. The Federal government's goal is for companies who bid on contracts to employ persons with disabilities and they must comprise at least 7% of their entire workforce. It was suggested that this requirement be

applied at the County level. It was noted that the Federal government does not penalize companies that do not meet the 7% goal and their definition of disability is much broader.

There was a discussion regarding agencies who have clients volunteer their time to clean non-profit agencies such as senior centers, churches and synagogues. This falls under Day Habilitation as volunteer work and those individuals cannot volunteer at for-profit companies. It would not come under Support Employment as no job coach is needed. Larry Bram noted that Easterseals has volunteers from Community Support Services. This volunteer service can be considered job training.

DDA has made it very clear that CIE will always be the goal going forward. Career exploration right now is for only 90 days, but that time frame is being contested as too short. There is concern that individuals with less intense disabilities will have more of an advantage over individuals with more intense disabilities. There is also a fear that the structure of CIE will push us backwards. There are concerns about supported employment and the sustainability of agencies being able to provide their staff due to the rates.

County Councilmember Gabe Albornoz sent a letter to the Maryland State Delegation asking them for three priorities – the rate study, the surplus funds, and the policies that have been introduced that are de-incentivizing employment. Susan said when speaking to Delegates you should say that while we agree with the goal of CIE, DDA is overinterpreting the Federal definition of CIE.

There are partnerships with for-profit agencies, but they have to follow the Fair Labor Standards Act and cannot go over 120 hours. Volunteers cannot be doing the work of a paid employee and there are certain guidelines to follow. Not all for-profit agencies welcome it, but some do hire students. Under the new definition, volunteer positions can only be at non-profits.

The County used to have the Pyramid Awards that were given to companies that employed people with disabilities and the majority of those awards were given to smaller companies who employed 15 people or less. More needs to be done in the private sector. It was noted that agencies do speak to private companies. Job developers will meet companies, and most are inundated with requests.

Job development can be quite inconsistent across agencies with some doing it well and working with private businesses and others relying on the parents to find a job. Betsy suggested contacting WorkSource Montgomery to discuss that they are doing to help employ people with disabilities. Susan will contact Ellie Giles, Chief Executive Officer of WorkSource.

Crystal Britto, Community Support Network, said this issue is larger than this group can work on right now. She has done a lot of research and written some papers on potential solutions. She suggested creating a workgroup to focus on this topic.

It was suggested that the Committee write a follow-up letter to the one Councilmember Albornoz sent to the Maryland State Delegation. Betsy said the Commission can write one if they receive approval from the Office of Intergovernmental Relations. Susan asked Cami Fawzy to be in charge of employment.

## **Housing**

Susan is waiting to hear back from Susan Smith, Housing Opportunities Commission (HOC), regarding the 99 vouchers HOC received. These vouchers were awarded for non-elderly persons with disabilities ages 18 to 61 who are transitioning out of institutional or other separated settings (nursing homes, group homes); at serious risk of institutionalization; homeless; or at risk of becoming homeless.

From the report is a recommendation for more affordable housing for people with intellectual and developmental disabilities for all stages of life reflecting County policy and that affordable housing should be available in all neighborhoods throughout all of the County.

### **Developmental Disabilities (DD) Day in Annapolis**

Susan along with many others went to DD Day in Annapolis in February. She had an appointment with Senator Nancy King's Chief of Staff. She left them the report from the County Council Work Group on Meeting the Needs of Residents with Developmental Differences as well as the PowerPoint and personal stories regarding her children. Susan suggested using the PowerPoint when discussing these issues with Delegates.

### **Budget and Legislation**

Regarding the supplement to Medicaid providers, there were no cuts, but the State is including 7 more providers and that will dilute the amount to the providers. This still has to be passed by the House.

The Senate Finance Committee voted to increase the rates adopted by the House for developmental disability services in the fight for the \$15 minimum wage bill. The House adopted amendments that reduced rate increase to 3% each year from FY21 to FY26. Under the amendments adopted by the Senate, the rate increases would be:

FY21 – 5%  
FY22 – 5%  
FY23 – 4.5%  
FY24 – 4%  
FY25 – 4%  
FY26 – 3%

Governor Hogan has sent a letter indicating that he may veto this bill as he is thinking of an earned tax credit instead and specifically named community providers of developmental disabilities. It was noted that the Governor cannot veto a budget item. Although, as the minimum wage bill is separate from the budget, he may be able to make changes. There is discussion to amend the minimum wage bill to give more money to the DD and Medicaid providers in the event minimum wage does go up so their rate increases as well.

### **Coordination of Community Services (CCS)**

Decreasing the caseload ratio for County CCSs is still a concern. Councilmember Alborno has said if the rate setting study is released, then the County can apply for the Medicaid reimbursement for the supplement and the County could then advocate for CCSs to have their caseload reduced. County Executive Elrich will be releasing the budget on Friday so we will know more then. The Committee could testify in April.

### **Health & Wellness**

Larry reported that he and Commissioner Avner Shapiro and Commission Chair Seth Morgan met with Councilmember Alborno last week and presented a plan. One of Councilmember Alborno's goals is going to be making Montgomery County the nation's leader as a sensory-friendly community. Larry was asked to estimate a budget for an early identification and intervention program to be placed in Infants and Toddlers. Currently, only 40% of children are screened and identified as having a disability before they get to school. Over 8,000 children in Montgomery County are not being screened on time, particularly children with Autism who are not being identified or receiving services until age 4.

The early identification work group has been meeting with the Maryland American Academy of Pediatrics, Treatment and Learning Centers, and other groups to develop a plan for pediatricians to provide regular screenings. The plan would be for pediatricians to use software that would collect County-wide data. When a doctor completes an assessment – and with the parent's permission – this information would be pushed to Infants and Toddlers so they can reach out to the family. The software program is called CHADIS and it offers more than

200 screening and diagnostic tools for assessing development, Autism, mental health, general medical care, and family and environmental factors.

The work group received a grant from the Washington Area Women's Foundation to conduct a pilot program which will run until the end of the year. Infants and Toddlers also received a \$25,000 grant from the Maryland State Department of Education, but there are complications currently as the grant money was received from Part C which requires that it be spent only on children with disabilities and this program would screen all children with or without disabilities. They are working on getting around this requirement.

A proposal is pending with the County Council. The program would be housed at Infants and Toddlers. The program would give pediatricians the software free for one year as well as training and tablets. The goal is for all pediatricians to be using this software in five years. The software is available in any language and the parent could complete the questionnaires while in the waiting room. Based on research at Johns Hopkins by using this software it averages \$8,000 to \$10,000 of new revenue and sets it up for the doctor to bill.

Councilmember Albornoz asked Larry for a cost analysis for operating this program. Larry estimates it would cost approximately \$700,000 over the five-year period, although it could be higher as it does not reflect possible internal costs.

There is a bill ([HB846](#)) currently in the Maryland General Assembly that would require Managed Care Organizations (MCOs) to provide or arrange behavioral health services rather than be managed by Medicaid. Larry noted that advocates in attendance for the hearing were strongly against this bill as there are nine different MCOs.

### **Law Enforcement and Public Safety**

Susan will ask Jenn Lynn for an update as her son is the Autism Ambassador for the County and helps train the police. It was suggested before that a script be developed for parents to use when calling law enforcement or emergency responders.

### **Respite Care**

DDA has increased the number of respite hours to 360 hours per year and has included \$7,000 for camps. A respite care provider can now be at least 16 years old, which is helpful if it is a family member and the individual is in self-directed services. The reimbursement rate is \$20 an hour which may not cover trained or higher-level personnel if it is needed. There is no extra reimbursement for an individual that requires overnight respite. There are still many families that do not know respite care is available. Concerns that the reimbursement rate is too low for this region.

### **Announcements:**

Susan noted that Bernie Simons, Deputy Secretary, DDA has agreed to come to the April 8th meeting in April.

Tim Wiens is retiring from Jubilee Association of MD.

The Jewish Federation of Greater Washington is hosting a [disability resource fair](#) for young persons with disabilities and their families on Sunday, March 31<sup>st</sup>. Held at 6101 Executive Boulevard, North Bethesda.

### **Respectfully Submitted,**

Carly Clem, Administrative Specialist

Betsy Luecking, Community Outreach Manager