



**Montgomery County Commission on People with Disabilities  
Developmental Disabilities Advisory Committee  
Meeting Summary – September 14<sup>th</sup>, 2020**

**Larry Bram, Co-Chair • Karen Morgret, Co-Chair**

**Attendees:** Councilmember Gabe Alborno; Betty Bahadori; Larry Bram; Carly Clem; Onesta Duke; Claire Funkhouser; Susan Hartung; Shawn Lattanzio; Betsy Luecking; Jenn Lynn; Laurie Lyons; Kim Mayo; Jennifer Mizrahi; Seth Morgan; Karen Morgret; Sara O’Neil; Gloria Odongo; Reda Sheinberg; Beth Shuman; Jeneva Stone

**Approval of the July 2020 Meeting Summary Minutes**

A motion was made to approve the July 2020 Meeting Summary Minutes. The motion was seconded. A vote was taken and the July 2020 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd) - click on the tab Developmental Disability Advisory Committee.

**Passing of Disability Advocate Charlie Crawford**

Larry Bram, Co-Chair, took a moment to mark the passing of Charlie Crawford, a disability community advocate and leader in the blind community for decades. Charlie passed away suddenly last Friday, September 11<sup>th</sup>. Betsy Luecking, Staff, noted that he worked on the Americans with Disabilities Act, was the Executive Director for the national American Council for the Blind and served as Vice-Chair on the Commission on People with Disabilities from November 2010 to February 2015. He recently advocated against designated bicycle lanes and floating bus stops as he, his wife, and others had found them to be dangerous. Councilmember Gabe Alborno said he had the opportunity to meet Charlie on several occasions and knows what a passionate advocate he was on so many issues. Councilmember Alborno is meeting with County Executive Marc Elrich this afternoon and on Charlie’s behalf he will discuss the issues regarding designated bicycle lanes and floating bus stops. He will also discuss these issues with the rest of the County Council.

**Update – The Honorable Gabe Alborno, Chair, HHS Committee, Montgomery County Council**

Councilmember Alborno encouraged committee members to vote in the upcoming election. He discussed several ballot measures at the local level. Six questions will be put before Montgomery County voters in the 2020 General Election; four questions (A – D) pertain to County matters and will appear on the ballots of Montgomery County voters only, and two questions (1 & 2) pertain to statewide matters and will appear on the ballots of all Maryland voters: <https://mcdcc.org/ballotquestions/>. Councilmember Alborno encouraged committee members to educate themselves on these issues. He is presenting to all Boards, Committees, and Commissions on the following and indicated that all comments on the following ballot measures were from his own perspective:

- **Question A – Charter Amendment by Act of County Council, Property Tax Limit – Limit Tax Rate Increase**

Amend Section 305 of the County Charter to prohibit the County Council from adopting a tax rate on real property that exceeds the tax rate on real property approved for the previous year, unless all current Councilmembers vote affirmatively for the increase. This amendment would replace the current property tax limit, which requires an affirmative vote of all current Councilmembers to levy a tax on real property that would produce total revenue that exceeds the total revenue produced by the tax on real property in the preceding fiscal year plus any increase in the Consumer Price Index. The current property tax limit exempts real property tax revenue derived from: (1) newly constructed property; (2) newly rezoned property; (3) certain property assessed differently under State law; (4) property that has undergone a change in use; and (5) property in a development tax district to provide funding for capital improvements.

Councilmember Albornoz explained Montgomery County's tax revenue is capped and set at the rate on inflation while other neighboring jurisdictions do not have a cap. To counter Question B, the County Council placed Question A on the ballot which would also eliminate the cap, but give the County the ability and more flexibility to raise revenue by not tying the cap to the rate of inflation, which is similar to what other jurisdictions including Northern Virginia are doing. The County has maintained its AAA bond rating longer than any other jurisdiction in the country and it is a testament to the County's being fiscally responsible as well as meeting the needs of our community.

- **Question B – Charter Amendment by Petition, Property Tax Limit – Prohibit Override**

Amend Section 305 of the County Charter to prohibit the County Council from levying an ad valorem tax on real property that would produce total revenue (not including property tax revenue from certain enumerated sources) that exceeds the total revenue produced by the tax on real property in the preceding fiscal year plus a percentage of the previous year's real property tax revenues that equals any increase in the Consumer Price Index. Section 305 currently permits the County Council to exceed the limit on real property tax revenue only upon the affirmative vote of all current Councilmembers.

Councilmember Albornoz said because of the cap, particularly in the development and business community, the County leaves a lot of revenue on the table each year. This revenue is precious for the development of programs and services and the support of the school system, parks and so many critical services to our communities. While the County has been able to work in spite of the cap, from time to time the County Council has had to take a unanimous vote to go beyond the cap, which is tied to the rate of inflation. Question B would eliminate the County's ability to go over the cap under any circumstances, even with a unanimous vote. This is significant because although the County currently has the resources now to be able to address the needs of the pandemic, if the federal government is not able to provide additional support to the state and counties, the County will not be able to raise sufficient revenue to meet those needs. Question B would eliminate the revenue cap but give the County more flexibility to secure that revenue from the private business sector as development grows. Councilmember Albornoz noted former County Executive Isiah Leggett, former Congresswoman Connie Morella, non-profit leader David Blair, and Latina tech business owner Carmen Ortiz Larsen formed the "No On Questions B & D Committee" to speak out against ballot questions B and D and urge a "NO" vote on both. The County Council and County Executive Marc Elrich are unanimously concerned about and are not supportive of Question B. The County has maintained its AAA bond rating longer than any other jurisdiction in the country and it is a testament to the County's being fiscally responsible as well as meeting the needs of our community. Councilmember Albornoz said if Question B passes he thinks there will be a direct impact on service delivery moving forward and the County will not be able to address the growing needs of our community.

- **Question C – Charter Amendment by Act of County Council, County Council – Increase to 11 Councilmembers**

Amend the County Charter to expand the County Council to consist of 11, rather than the current 9, Councilmembers; increase from 5 to 7 the number of Council districts; and elect 7 Councilmembers by district and 4 Councilmembers at large.

The County Council supports Question C which would add two districts. One argument for this change is the Council has not changed its structure in size in over 30 years and the County has increased in size and population by 50% since then. The ballot measure would still give residents the opportunity to vote for five councilmembers instead of one.

- **Question D - Charter Amendment by Petition, County Council – Alter Council Composition to 9 Districts**

Amend Sections 102 and 103 of the County Charter to divide the County into 9, rather than the current 5, Council districts; elect all Councilmembers by district, rather than the current 5 by district and 4 at large; and reduce from 5 to 1 the number of Councilmembers each voter can vote for.

This ballot measure would effectively eliminate the four at-large seats in favor of nine specific districts.

Councilmember Albornoz said it is his opinion that having an exclusive district model will potentially lead to parochial decision-making that is not in anyone's best interest. Under the current model, any resident of Montgomery County that is a registered voter can vote for five councilmembers. Under the proposed Question D, residents could only vote for one councilmember. Question D comes from understandable frustrations, particularly from residents in the northern part of the County who feel underrepresented.

Councilmember Albornoz said Question A and B do not cancel each other out. If they are both passed they would both go into effect. Question A would give the County the ability to secure some additional revenue, but the County would still be capped at the rate of inflation. If ballot measures C and D both pass, they cancel each other out and the County has to wait until after the Census is reviewed next year per the charter to see how the districts would be adjusted. The Washington Post published an editorial this past weekend opposing all of the ballot measures effectively arguing that the current status of the Council is better than any of the four proposals being put forward on the ballot.

Betsy asked about the Council's recent discussions on police reform and defunding the police. She noted she has always had great interactions with the Montgomery County Police Department (MCPD) and questioned having non-police officers conduct traffic stops. Councilmember Albornoz said his personal and professional experiences with MCPD and School Resource Officers have also been very positive. When the County launched [Excel Beyond the Bell \(EBB\)](#) to expand out of school time programs the majority of referrals to EBB were made by local district police stations and School Resource Officers. Councilmember Albornoz has seen how productive it can be to partner and engage in positive youth development. MCPD is ahead of so many other police departments across the country in terms of training and culture. Councilmember Albornoz said we also must recognize that not everyone has had those same positive experiences. MCPD has been very supportive to date of the reforms that have been suggested in partnership with the Council.

The next bill that the Council will be discussing will generate even more comments because it is supported by and large except for one element by the Fraternal Order of the Police (FOP). The bill would provide more social workers to MCPD so they are in a better position to respond to mental health crises. Councilmember Albornoz and Councilmember Tom Hucker wrote an [opinion editorial in the Washington Post](#) recently on this topic. There are concerns that the Council is going too far and there are concerns that the County is not going far enough. The Council is working to make sure that they are being responsible and balanced with their decisions and that as many people as possible have a similar experience. At the end of the day public safety is the most important thing for everyone regardless of where they live.

Susan Hartung, Parent, is thankful that Jenn Lynn, Parent, is on the newly formed Police Advisory Committee (PAC) so she can share her experiences and issues for persons with disabilities. Susan said as a parent of child with a developmental disability she will never call the police if her child has a mental health crisis.

Jenn Lynn said she is hoping to be the voice for developmental disabilities on PAC. She said that the Chief of Police recently reported that 45% of 911 calls received during the pandemic have been for mental health crises. It is not fair for the police to handle those calls. Jenn Lynn wrote a proposal to fund six more social workers. There is currently one social worker within MCPD. Councilmember Albornoz said Jenn Lynn's presence on PAC is going to be critical.

Shawn Lattanzio, Local Behavioral Health Authority, said the County needs more mobile crisis teams. Many of the families she works with do call the police on their children due to escalating behavior. MCPD work with missing children and runaways which could also be merged with mental health workers. Shawn added that there have been children who have been at hospitals for three months because they cannot go home or get into residential treatment centers because they are full.

Councilmember Albornoz said there are so many layers to this from a policy perspective and he thinks there is a lot of opportunity for change on the horizon. He looks forward to having an ongoing discussion. Beth Shuman, Senior Legislative Aide, Office of Councilmember Albornoz, said the County is waiting to hear about a new initiative called The Restoration Center that would be a partnership connected to Nexus Montgomery

and all the hospitals. The Restoration Center is a proposed crisis assessment and stabilization facility that would operate 24/7/365 as part of an existing crisis response system. It would provide an alternative for first responders to transfer clients in crisis in lieu of hospital EDs or jail. The Restoration Center would operate under the principles of the Crisis Now Model, ensuring 100% admission to those in crisis, regardless of voluntary or involuntary status and is not limited by racial/ethnic/insurability or other such factors. It would provide a safe and highly specialized location staffed with clinicians and peers trained in de-escalating, assessing, and providing adequate treatment and support services to those experiencing behavioral health crises. The County is waiting to be approved for grant funding that would enable the County to fund this initiative for five years.

**Update on DDA and Moving Forward – Onesta Duke, Acting Director, Southern Maryland Regional Office, Maryland Developmental Disabilities Administration (DDA)**

Onesta Duke, Acting Director, Southern Maryland Regional Office (SMRO), reported DDA's current primary focus is coordinating the implementation of the electronic visit verification (EVV) system. DDA is working closely with all Coordination of Community Services (CCS) agencies to ensure clients who are currently receiving Personal Supports are transitioned into EVV by November 1<sup>st</sup>. DDA must have all regions implemented into EVV by January 1<sup>st</sup>. Eastern and Western's implementation date is October 1<sup>st</sup>, SMRO's implementation date is November 1<sup>st</sup>, and Central's implementation date is December 1<sup>st</sup>.

SMRO has increased the number of staff to assist with approving plans. There are approximately 1,300 plans to transition into EVV. Onesta explained that everyone who is currently receiving Personal Supports will have to transition to EVV. It applies to both traditional and self-directed services (SDS). DDA is still finalizing information and guidance on how SDS participants will transition into EVV. EVV will help verify services are being provided at the right time, in the right place, and to the right person. It will also improve quality of services. Maryland's EVV system is the phone-based In-Home Supports Assurance System. It allows a direct service provider (DSP) to clock in and clock out using a telephone. For those individuals who do not have a telephone, a one-time password (OTP) device will be distributed by the CCS.

Karen Morgret, Co-Chair, asked how virtual services will work with EVV. Onesta said she is waiting on more information on how it will work, but individuals will still be able to receive some level of virtual supports. She expects the information to be available in October. DDA is hosting provider billing training for LTSS from October 6<sup>th</sup> until the end of October.

Susan asked if there is a new date for when LTSS will be fully implemented. Onesta said there is not a new date at this time. DDA will be using this time to review the system and ensure it is operating effectively for when it does go live.

Onesta reported that the public comment period for the [Family Supports Waiver Amendment #3](#) is open from September 1<sup>st</sup> through September 30<sup>th</sup>. DDA recently presented a [PowerPoint](#) detailing all the changes that will occur within the traditional and SDS model.

Onesta reported the following southern region data for transitioning youth (TY):

**TY19 (FY20)**

- 338 Total
  - 233 - approved
  - 105 - not approved
    - 14 - declined
    - 6 - Service Funding Plans submitted and awaiting waiver approval

**TY20 (FY21)**

- 329 Total
  - 85 - approved
  - 244 - not approved
    - 6 - declined

- 46 - approved for the waiver but no Service Funding Plan was submitted
- 19 - have a waiver currently pending and no Service Funding Plan
- 155 - have no waiver or provider
- 22 - have Service Funding Plans submitted and awaiting a waiver approval

At the next meeting, Onesta will break the TY data down specific to Montgomery County and will make the distinction between traditional and SDS models.

Susan asked if DDA is keeping track of the providers that may not be able to stay in business due to the pandemic. Onesta said DDA is collecting information from different provider agencies to gauge how they are surviving or working through some of the challenges that the pandemic has presented. DDA has provided resources to providers and there are also several grants that were made available for DDA-licensed agencies. Onesta believes many providers in the southern region took advantage of some of those opportunities. Susan said she is aware some providers did not qualify for the small business grants because they employ more than 200 workers. She has concerns that there are over 200 TYs that do not have a provider and what will happen if providers are reluctant to pick up new cases or go out of business. Onesta will follow up on this question. She did report that some agencies have elected to not provide certain services any longer and DDA is working with CCS agencies to transition individuals into new providers.

Marie Parker, Training and Development Coordinator, Center for Transition and Career Innovation (CTCI), asked if DDA maintains a master list of agencies and which services they provide. Onesta reported DDA's website maintains lists on their website with provider listings by region. Any adjustment to agencies or the services they provide will be updated on this site: <https://dda.health.maryland.gov/Pages/CCS%20Providers%20-%20Southern.aspx>.

Betty Bahadori, Parent, asked if DDA is tracking a disproportionate amount of COVID-related cases or COVID-related deaths among people with developmental disabilities. Onesta reported Deputy Secretary Bernie Simons reports that data during his biweekly webinars. She knows in the southern region 17 individuals with developmental disabilities and 4 staff have passed from COVID-19. Over the last several weeks DDA has noted that the rate of positive cases has been slowing down and the number of individuals who have passed away have not increased in the last two months.

Susan reported she is a member on the DDA Quality Assurance (QA) Committee. The Committee receives a report every quarter on the number of deaths. Approximately 75% of parents do not report the cause of death. Parents do not understand how important it is for that information to be made available. She encouraged attendees to spread this information among their agencies and groups as it helps the QA Committee to look at trends.

**Federal, State and Local Updates on Services and Budgets – Kim Mayo, Administrator, Community Support Network, Department of Health and Human Services, and Beth Shuman, Senior Legislative Aide, Office of Councilmember Gabe Alborno**

Larry said the Board of Revenue reported the FY20 budget will be \$400 million better than expected. When the Board meets in October, the follow-up cuts for FY21 may not be quite as extreme as originally thought.

Kim Mayo, Administrator, Community Support Network (CSN), reported the County is currently working on a contract with the Primary Care Coalition (PCC) to provide technical assistance and support to developmental disability providers during the COVID-19 pandemic. This will be a short-term project funded by the federal CARES Act, which must be spent by December 31<sup>st</sup>, 2020. The goal is to provide support tied to four core areas: personal protective equipment (PPE), prevention and control, COVID-19 testing protocols, and data systems and collaborative learning. Dr. Michael Greenberg has volunteered to be the medical director for the project. The County hopes to get the project started in the next few days. PCC has met with Inter ACC/DD twice to review the proposal and receive provider feedback.

Beth said the project is similar to the County's Latino Health Initiative which provides targeted resources and services. She said having Dr. Greenberg involved there is more confidence in how these crises can be managed

as he is the point person who understands the developmental disability community. Councilmember Albornoz pushed hard for this project. Beth said we are in the midst of a very serious crisis and the developmental disability community needs to be cared for – both the individuals and the staff. Providers are struggling financially beyond belief and there is no clear roadmap on how to move forward in addition to all the other issues.

Adult medical day programs are a different story and it is difficult to keep everyone safe or to know what is coming next. The County has recovered from the testing issues with AdvaGenix and is moving towards a better system to provide tests and receive results more quickly. Beth reported Governor Hogan issued a press release about Maryland acquiring 250,000 rapid tests that will be used in congregate living situations including nursing homes and assisted living facilities. Unfortunately, this does not acknowledge or recognize developmental disability group homes. The Council is working on this issue.

Larry reported a recent statistic that individuals with intellectual disabilities are twice as likely to contract COVID-19 and once they have the virus they are twice as likely to die.

Claire asked if funding will be used retroactively given that some agencies have already paid for testing and equipment out of their own funds. Beth said the County hopes to receive more federal funding to be able to cover the needs going forward because this issue is not going away. The County was able to secure federal funding from the CARES Act and FEMA to purchase PPE and testing. Through this new project the County will be able to stockpile equipment purchased at a reduced rate. Even with the County's assistance providers have still been purchasing much of their own equipment. Dr. Greenberg has said since the beginning of the pandemic that the County needs to have a congregate living unit that responds and provides PPE and testing.

Beth added that she and Kim had a great meeting with County Executive Marc Elrich. Kim said they discussed LTSS, the transition, and the new rates. The meeting was held prior to DDA delaying LTSS implementation. Meeting attendees included Dr. Greenberg and Delegate Craig Zucker, who was very positive about wanting to be involved.

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

**Total Care Services (TCS):** Gloria Odongo, Director of Quality Enhancement, reported TCS is working on reducing its CCS caseload. CCS tasks are evolving and they are acquiring more responsibilities. More staff have been hired to bring caseloads down to 30 cases per one CCS. Gloria reported they are still providing wellness checks for the people they serve. Some are opting to be contacted monthly instead of weekly. Some have asked not to be contacted at all so TCS is being creative in how they reach out to those individuals.

TCS currently supports 825 people in Montgomery County.

- 673 people – In Services
- 144 people – Current Request
- 6 people – Crisis Prevention
- 2 people – Crisis Resolution
- Self- Direct Services – 32 people

### **Transitioning Youth**

19 students who will be transitioning this year.

- 7 students are in the Community Pathways Waiver
- 1 student is in the Community Supports Waiver
- 6 students' waivers are pending DDA answer/status
- 5 students need to be submitted (in process)
- Out of the 19 students
  - 2 students have selected the Self- Direction Delivery Model

**Medical Management & Rehabilitation Services (MMARS):** Sara O'Neil, DDA QE Analyst II, reported MMARS is always hiring. Sara reported their numbers as of 9/14/2020:

- 1,473 currently active participants
  - 3 are Comprehensive Assessments
  - 1,127 are In Services
  - 343 are on the waiting list.
    - 329 are Current Request
    - 9 are Crisis Prevention
    - 5 are Crisis Resolution
      - Since our last meeting, 1 individual has been upgraded in August.
- 53 are TY'21s
- 73 are TY'20s (that are eligible to start services 7/1)
- 15 are TY'19s (extended deadline for waiver submission is within a few days)
  - 1 has declined services
  - 2 are unable to contact/locate
  - The remaining have all had their waiver packets submitted and only a few have not identified a provider.

**Service Coordination, Inc. (SCI):** Laurie Lyons, Program Manager, reported SCI is growing quickly in the region and is always hiring. They have 12 CCSs that serve Montgomery County. CCSs are working to transition plans in place for EVV. SCI continues to support people in accessing their resources and services through Appendix K.

#### TY19 / FY20

- 34 people
  - 30 are in the waiver
  - 4 people are not
    - 3 are in review
    - 1 is a late referral

#### TY20 / FY21

- 35 people
  - 17 are in the waiver
  - 18 are not
    - 11 in review and waiting for approval
    - 7 are somewhere in the process

### Provider Updates and Announcements

Karen reported Treatment & Learning Centers (TLC) has been providing virtual services since March and some clients are really starting to enjoy it. TLC is offering job clubs, a dance group, a social communication group, and virtual tours of museums and historic sites. Staff have met in person with some individuals if they have started new jobs or there are other needs, but they are being very cautious. Services are not being provided in the building with the exception of a few assessments. Several individuals that work on government contracts have started to get more hours and some are going back full-time. Some individuals have lost their jobs and staff are working with them to get back into the job market again.

Jenn Lynn, Upcounty Community Resources (UCR), reported UCR started their in-person one-on-one job and social skills program. UCR offers a free virtual disability voting rights program that teaches people with disabilities how to vote and to be self-advocates. UCR is also starting a therapy group with a social worker from Kennedy Krieger. A free virtual caregiver "Create and Sip" event is scheduled for next Friday night. Therapeutic services are still being offered online.

Larry reported Easter Seals has opened their Silver Spring center again for childcare with limited capacity. For those who cannot attend, Easter Seals will be rolling out its first phase of a new program called Easter Seals at Home which will provide daily curriculum for parents to do with their children as well as interactions with the teachers. Easter Seals is waiting on license approval to provide distance learning support to 10 elementary students in a socially distanced environment. Larry reported he is on the Maryland Caregiver Commission and

they are updating resources on their website. He asked for training suggestions such as videos or recorded webinars to include on the intellectual / developmental disabilities section of the website.

Susan reported Governor Hogan signed a proclamation declaring September 13-19th Direct Support Professional Week in Maryland. Beth said the County Council will be presenting a proclamation on September 22<sup>nd</sup> and all Councilmembers are recording messages to share with DSPs.

Betsy reported October is National Disability Employment Awareness Month (NDEAM). Betsy asked Beth for the Council to present a NDEAM proclamation in October. Betsy has asked Beth Lash, Regional Director, Maryland Division of Rehabilitation Services (DORS), to present at the October 14<sup>th</sup> Commission on People with Disabilities meeting. DORS provides employment services to persons with disabilities. DORS counselors determine the severity of the disability of individuals who are eligible for services, as follows: Category 1: Most Significant Disability; Category 2: Significant Disability; and Category 3: Non-Severe Disability. Currently, DORS is only serving Category 1 and individuals in Category 2 and Category 3 are not even being added to a waitlist. Karen noted that DORS is becoming more and more financially tight as their budgets are not increasing. There will be less individuals served in Category 1. Karen noted that there are now several states that are not serving Category 1 at all. Betsy said WorkSource Montgomery receives funding to provide employment services with disabilities, but they may not be prepared to offer those services and they are not charged with working with people who have severe disabilities. Betsy has asked Cynthia Grissom WorkSource Montgomery, to also present at the October 14<sup>th</sup> meeting. Beth said Councilmember Albornoz will be meeting with Leonard Howie and she will put this issue on his radar. Betsy said we need to figure out the issues now and formalize a plan to manage them.

Laurie reported that as part of NDEAM DDA will be hosting an online Employment First webinar on October 19<sup>th</sup>. She has been reading employment data that DDA has been collecting. Just over half of individuals who were employed prior to the pandemic have maintained their jobs which means nearly half have lost their jobs.

Claire Funkhouser, Parent, said her son's previous employer would like to hire him back, but DDA has put restrictions on where individuals can go and how they receive supports. This is precluding him from going back to a job he has had for 10 years. Claire said she understands the need for the restrictions, but the employment data may be muddled due to them. The fact that different counties throughout Maryland are open in various phases may also be a reason for the data. Reda Sheinberg, Parent, said there needs to be testing available for those who are trying to go back to work. Betsy said we need to take a look at all the factors involved and how we will use County dollars.

### **Announcements**

Larry reported that the Maryland General Assembly will not be having a special session. The Senate sent out a memo that it is limiting the number of bills that can be submitted. There is also the possibility that bills that include a fiscal note will not be considered due to the expected budget deficit. The 90-day legislative session is scheduled to begin on January 13, 2021.

### **Respectfully Submitted,**

Carly Clem, Administrative Specialist  
Betsy Luecking, Community Outreach Manager

### **Next Meeting**

Monday, October 12<sup>th</sup>, 2020 from 4pm to 5:30pm – via Zoom  
Instructions to attend will be included on the meeting agenda.