



**Committee:** HHS  
**Committee Review:** At a future date  
**Staff:** Christine Wellons, Senior Legislative Attorney  
**Purpose:** To introduce agenda item – no vote expected  
**Keywords:** #IDDCommission

AGENDA ITEM #2C  
February 14, 2023  
**Introduction**

## SUBJECT

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established

Lead Sponsor: Councilmember Albornoz

Co-Sponsor: Council Vice-President Friedson

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A

## DESCRIPTION/ISSUE

Bill 10-23 would:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

## SUMMARY OF KEY DISCUSSION POINTS

- N/A

### **This report contains:**

Staff Report  
Bill 10-23

Pages 1-2  
© 1

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**MEMORANDUM**

February 9, 2023

TO: County Council

FROM: Christine Wellons, Senior Legislative Attorney

SUBJECT: Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established

PURPOSE: Introduction – no Council votes required

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, sponsored by Lead Sponsor Councilmember Albornoz and Co-Sponsor Council Vice-President Friedson, is scheduled for introduction on February 14, 2023. A public hearing is tentatively scheduled for March 7 at 1:30 p.m. and a Health and Human Services Committee worksession is tentatively scheduled for March 9, 2023.

Bill 10-23 would:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

**BACKGROUND**

The purpose of Bill 10-23 would be to establish an Intellectual and Developmental Disabilities (IDD) Commission in the County to advise the County Council and County Executive, and to better coordinate the provision of services to individuals with IDD and their families.

**BILL SPECIFICS**

The bill would establish an IDD Commission of 19 voting members and 6 non-voting members. The Commission would:

- (a) promote direct communication among families, support staff, private and public organizations, and the general public regarding programs and services for individuals with intellectual and developmental disabilities;

- (b) institute and conduct educational and other programs, meetings, and conferences to promote the welfare of individuals with intellectual and developmental disabilities;
- (c) cooperate with public and private agencies, departments, and organizations that provide services and programs for individuals with intellectual and developmental disabilities;
- (d) advise the County Council and the County Executive on matters involving the needs of individuals with intellectual and developmental disabilities;
- (e) review and report on current gaps in services, including issues of childcare, education, discrimination, transition to adult services, resource coordination, housing, transportation, employment, health care, recreation, and recruitment of providers and direct support staff;
- (f) prepare recommendations on best practices, innovations in service areas, and information on costs associated with recommended programs and services for individuals with IDD; and
- (g) work with key organizations at the county and state level to best advance the needs of county residents with IDD.

The Commission would report annually to the County Council and the County Executive. The Commission would be staffed by the Department of Health and Human Services.

This packet contains:  
Bill 10-23

Circle #  
1

Bill No. 10-23  
Concerning: Health – Intellectual and  
Developmental Disabilities  
Commission - Established  
Revised: 02/03/23 Draft No. 2  
Introduced: February 14, 2023  
Expires: December 7, 2026  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Councilmember Albornoz  
Co-Sponsor: Council Vice-President Friedson

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**AN ACT** to:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

By adding

Montgomery County Code  
Chapter 24. Health and Sanitation  
Article X, Intellectual and Developmental Disabilities Commission  
Sections 24-71, 24-72, 24-73, 24-74, 24-75, and 24-76

*The County Council for Montgomery County, Maryland approves the following Act:*

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

1           **Sec. 1. Sections 24-71, 24-72, 24-73, 24-74, 24-75, 24-76 are added as**  
2 **follows:**

3           **ARTICLE X. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES**  
4   **COMMISSION.**

5 **24-71. Definitions and Policy Statement.**

6           (a) Definitions. The following terms have the meanings indicated.

7                   Commission means the Intellectual and Developmental Disabilities  
8                   Commission established under this article.

9                   Intellectual and developmental disabilities or IDD means a severe,  
10                   chronic disability of an individual that:

11                   (1) is attributable to a mental or physical impairment or combination  
12                   of mental and physical impairments;

13                   (2) is manifested before the individual attains age 22;

14                   (3) is likely to continue indefinitely;

15                   (4) reflects the individual's need for a combination and sequence of  
16                   special, interdisciplinary, or generic services, individualized  
17                   supports, or other forms of assistance that are of lifelong or  
18                   extended duration and are individually planned and coordinated;  
19                   and

20                   (5) results in the substantial functional limitations in 3 or more of the  
21                   following areas of major life activity:

22                           (A) self-care;

23                           (B) receptive and expressive language;

24                           (C) learning;

25                           (D) mobility;

26                           (E) self-direction;

27                           (F) capacity for independent living;

- 28 (G) self-direction; and
- 29 (H) economic self-sufficiency.

30 (b) Policy statement.

31 (1) Montgomery County is committed to creating an inclusive  
32 community for people with IDD so that they are afforded every  
33 opportunity to live a life of their choosing with the supports  
34 needed to participate fully in the life of the County.

35 (2) It is the public policy of the County to:

36 (A) promote and initiate ongoing community input to support  
37 the needs of individuals with intellectual and  
38 developmental disabilities;

39 (B) improve communication about programs and services  
40 among those with IDD and their families, advocates,  
41 support staff, public and private agencies, and the general  
42 public;

43 (C) identify service needs and inform decisions on services for  
44 individuals with intellectual and developmental  
45 disabilities; and

46 (D) work towards improving accessibility to services for  
47 individuals with intellectual and developmental  
48 disabilities.

49 **24-72. Commission Established.**

50 There is an Intellectual and Developmental Disabilities Commission.

51 **24-73. Membership; appointment; terms.**

52 (a) The Commission consists of 19 voting members and 6 non-voting  
53 members.

- 54           (b)   The voting members are appointed by the County Executive, subject to  
 55           Council confirmation, and must include:  
 56           (1)   2 individuals with IDD;  
 57           (2)   9 family members, guardians, or support staff of individuals with  
 58           IDD;  
 59           (3)   7 individual representing service providers or advocacy  
 60           organizations that supports individuals with IDD; and  
 61           (4)   1 member of the Commission on People with Disabilities.  
 62           (c)   The non-voting members are designees of the following agencies:  
 63           (1)   Department of Health and Human Services;  
 64           (2)   Department of Recreation;  
 65           (3)   Montgomery County Public Schools;  
 66           (4)   Montgomery College;  
 67           (5)   WorkSource Montgomery; and  
 68           (6)   Maryland Developmental Disabilities Administration.

69   **24-74. Duties.**

- 70           The Commission must:  
 71           (a)   promote direct communication among families, support staff, private  
 72           and public organizations, and the general public regarding programs and  
 73           services for individuals with intellectual and developmental disabilities;  
 74           (b)   institute and conduct educational and other programs, meetings, and  
 75           conferences to promote the welfare of individuals with intellectual and  
 76           developmental disabilities;  
 77           (c)   cooperate with public and private agencies, departments, and  
 78           organizations that provide services and programs for individuals with  
 79           intellectual and developmental disabilities;

- 80        (d) advise the County Council and the County Executive on matters  
 81        involving the needs of individuals with intellectual and developmental  
 82        disabilities;
- 83        (e) review and report on current gaps in services, including issues of  
 84        childcare, education, discrimination, transition to adult services,  
 85        resource coordination, housing, transportation, employment, health care,  
 86        recreation, and recruitment of providers and direct support staff;
- 87        (f) prepare recommendations on best practices, innovations in service  
 88        areas, and information on costs associated with recommended programs  
 89        and services for individuals with IDD; and
- 90        (g) work with key organizations at the county and state level to best  
 91        advance the needs of county residents with IDD.

92        **24-75. Meetings; officers; compensation; reports.**

- 93        (a) Meetings. The Commission must meet at the call of the Commission  
 94        chair and at least 6 times annually.
- 95        (b) Quorum. A majority of the voting members of the Commission  
 96        constitutes a quorum for the transaction of business.
- 97        (c) Officers. The Commission must elect from among its voting members a  
 98        chair, vice-chair, secretary, and other officers it deems appropriate.
- 99        (d) Compensation. A member must serve without compensation, but the  
 100        member may request reimbursement for mileage and dependent care  
 101        costs at rates established by the County.
- 102        (e) Annual report. The Commission must submit annually a report to the  
 103        County Executive and County Council summarizing its activities,  
 104        needs, recommendations and the degree to which the goals of the  
 105        Commission are being met.



106 **24-76. Staff support.**

107       The Department of Health and Human Services must provide the staff support,  
108       including administrative and programmatic support, necessary for the  
109       Commission to perform its duties.

*Approved:*

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Evan Glass, President, County Council

Date

*Approved:*

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*

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Judy Rupp, Clerk of the Council

Date