



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

AGENDA ITEM #6
March 7, 2023
Public Hearing

SUBJECT

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

Lead Sponsor: Councilmember Albornoz

Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe

EXPECTED ATTENDEES

Members of the Public

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A; to receive testimony

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
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MEMORANDUM

March 2, 2023

TO: County Council

FROM: Christine Wellons, Senior Legislative Attorney

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

PURPOSE: Public hearing – to receive testimony

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, sponsored by Lead Sponsor Councilmember Alborno and Co-Sponsors Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe was introduced on February 14, 2023. A public hearing is scheduled for March 7, 2023 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: 03/02/23 Draft No. 3
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

Lead Sponsors: Councilmember Alborno
Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe

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:

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

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

ARTICLE X. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
COMMISSION.

24-71. Definitions and Policy Statement.

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

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

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

- (1) is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (2) is manifested before the individual attains age 22;
- (3) is likely to continue indefinitely;
- (4) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated;
and
- (5) results in the substantial functional limitations in 3 or more of the following areas of major life activity:
 - (A) self-care;
 - (B) receptive and expressive language;
 - (C) learning;
 - (D) mobility;
 - (E) self-direction;
 - (F) capacity for independent living;

(G) self-direction; and

(H) economic self-sufficiency.

(b) Policy statement.

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

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

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

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

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

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

24-72. Commission Established.

There is an Intellectual and Developmental Disabilities Commission.

24-73. Membership; appointment; terms.

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

(b) The voting members are appointed by the County Executive, subject to Council confirmation, and must include:

(1) 2 individuals with IDD;

(2) 9 family members, guardians, or support staff of individuals with IDD;

(3) 7 individuals representing service providers or advocacy organizations that supports individuals with IDD; and

(4) 1 member of the Commission on People with Disabilities.

(c) The non-voting members are designees of the following agencies:

(1) Department of Health and Human Services;

(2) Department of Recreation;

(3) Montgomery County Public Schools;

(4) Montgomery College;

(5) WorkSource Montgomery; and

(6) Maryland Developmental Disabilities Administration.

24-74. Duties.

The Commission must:

(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.

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

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