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2024 Legislative Session By the Numbers.................................................................................. 27
The Maryland General Assembly completed its work for the 2024 Legislative Session and adjourned on April 8, 2024, at midnight. Of the 2,714 pieces of legislation filed, 1,053 were passed by Sine Die.

The 63.1 billion dollar state budget had a bumpy road to passage with the House and Senate disagreeing initially on the best way to accomplish budget balance, and how to increase state revenues for this year and the next few years as we try to manage the needs of the state without Pandemic-era federal financial assistance.

As we went into the session, our highest priority was the DDA budget. Our system has been challenged by increased operating costs associated with inflation, and major workforce shortages. While new rates for services have been in process for close to 10 years, there are still issues with day service rate finalizations and shortfalls in the appropriations for two of the highest utilized services of Community Living and Day Services. The Developmental Disabilities Coalition asked the Governor for a 3.5% funding increase and additional progress on the funding “glide path” to get our rates to 100% funding by FY2026.

Prior to the Governor’s release of the draft FY25 budget, analysts projected the state faced a $761 million revenue deficit for FY25 which was expected to balloon to $2.7 billion by 2029 without action. This dire circumstance was influenced by many factors, including the end of federal pandemic assistance, lower-than-anticipated consumer spending, and lower-than-expected tax revenues.

After 90 days of hard work and debate, there were a number of notable outcomes of the legislative session that you can read about in this report from The Arc Maryland.
The budget includes:

- 3% funding increases for DDA rates ($58 million). Other Medicaid providers including behavioral health providers and nursing homes also received 3% rate increases.

- $14.2 million for Transitioning Youth, $13.9 million for Emergencies, $14.2 million to support over 200 people coming off the Waiting List in the highest crisis categories, and $1.125 million for services to people who qualify for the Waiting List Equity Fund.

The Department of Health’s Developmental Disabilities Administration (DDA) is required to submit the following reports to the Maryland General Assembly for the release of certain funds under the DDA budget:

- One report about the ongoing transition to a fee-for-service system and the amount of money spent for that system this year. This report must include specific information about the use and amount of money spent for each type of service provided.

- One report on the money given to providers upfront in FY 2023 and FY 2024 during the providers’ transition to the Low-Intensity Support Services system.

- One report on self-directed services and spending for Individual and Family Directed Goods and Services (IFDGS). This report must include the number of people in self-directed services, the number of IFDGS requests, the amount for each request, and details about the process to approve IFDGS requests with recommendations to improve the process. DDA also needs to compare self-directed services to provider-run services for the following:
  - the number of people in each service model,
  - the approved budgets and the total amount spent, and
  - details about how budgets are developed and how the process and resulting budgets differ.

- Other budget items pertaining to people with intellectual and developmental disabilities (IDD):
  - “Permanent” Funding for 9-8-8 mental and behavioral health crisis hotline and referral supports.
  - $1 million – Housing and rent subsidies for people with IDD.
  - Stricken from the BRFA: a provision that would have removed a prohibition on the Maryland Department of Health-DDA setting a dollar cap on “Self Directed and Family Directed Goods and Services” (IFDGS).
  - Addition of $0.7 million for MSDE Division of Rehabilitation Services (DORS) per SB856/HB1163 to capture matching federal funds.

BUDGET HIGHLIGHTS
Developmental Disabilities Administration
FY25 Budget: $2.1 Billion

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  - Addition of $0.7 million for MSDE Division of Rehabilitation Services (DORS) per SB856/HB1163 to capture matching federal funds.
EVENTS

Legislative Calendar Day

One of our biggest annual advocacy events, Legislative Calendar Day, was held on the second day of the legislative session: a tradition of The Arc Maryland! A group of more than 100 advocates and members from local chapters of The Arc in Maryland descended upon Annapolis to hand out coffee and deliver calendars to grateful recipients. This year’s calendar theme is **Leading the Way**: highlighting the many innovative and forward-thinking ways The Arc organizations and people we support are making a difference in our communities.

Attendees held meetings with their representatives throughout the day to share The Arc Maryland’s legislative priorities, challenges, and successes. Together, we worked to move the dial ever forward in our mission to create a world where children and adults with IDD have and enjoy equal rights and opportunities!

In conjunction with Legislative Calendar Day, The Arc Maryland hosted a Legislative Session Preview to prepare advocates for the 90-day session. Through the training, participants brushed up on their advocacy skills, discussed priority legislation, learned how to provide testimony, and received tips on how to best communicate with their legislative representatives.

DD Day at the Legislature

On February 21st, people with IDD, their families, Direct Support Professionals, provider organization representatives, and legislators celebrated Developmental Disabilities Day at the Legislature! The annual event was once again hosted by the members of the Maryland Developmental Disabilities Coalition to gather over 700 advocates in person and hundreds more online to learn about legislative priorities and hear from our champions in the Maryland Legislature. Advocates heard from Governor Wes Moore, members of our Senate and House leadership, the Maryland Department of Disabilities, the Maryland Department of Health, the Developmental Disabilities Administration, and the Maryland State Department of Education.

During the event, we celebrated the honorees of the Together We’re Better Inclusive Schools Art Contest: Draw Me In! Students, their parents, and representatives from their schools were honored for their works of art with certificates and cash awards for their schools.

The fact sheets for DD Day were available to attendees in plain language and alternative formats including large print and Spanish translation.
EVENTS

World Down Syndrome Day

The WDSD Coalition, including The Arc Maryland and several partners who support individuals with Down syndrome and their families, held our sixth annual WDSD Celebration in Annapolis on March 21, 2024. The event was punctuated by presentations from several individuals with Down syndrome who talked about their accomplishments, wishes, and hopes for the future. Many members of the Maryland General Assembly gathered with advocates, family, and friends for a sold-out World Down Syndrome Day (WDSD) Celebration and Dance party.

Carol Beatty, Secretary of the Department of Disabilities, presented a proclamation from the Governor during the event, and legislators also attended to support people with Down syndrome and their families, and to present citations in honor of the day.

Three WDSD representatives received a floor proclamation from Senator Brian Feldman on the special day, with many legislators sporting mismatched socks: a National World Down Syndrome Day tradition!

Autism Acceptance Day

New this year, The Arc Maryland held an Autism Acceptance Day Celebration alongside other members of the Autism Acceptance Day Coalition! On April 2nd, advocates and legislators from across the state helped kick off Autism Acceptance Month, celebrated each April, with a luncheon and dance party. The first annual event was a smashing success, with over 100 people in attendance.

Advocates and coalition members stopped by their representatives' offices once again to share fact sheets, invite them to the celebration, and have them join in on the month-long celebration of the valuable contributions of people with autism across the globe!
The Arc Maryland tracked several bills throughout the 2024 Legislative Session. In this section, you will find some of the priority pieces of legislation that The Arc Maryland Governmental Affairs Committee was involved with, and/or designated for targeted education and advocacy. Included are bills that passed, priority bills that did not pass, and some of the bills we opposed or had concerns about that did not pass. Included in each bill update is the position we took and its outcome during session. Please note that, in many cases, the Governor has not yet taken action to sign or veto bills. By law, the Governor has up to 30 days after the bill presentation to take any action he intends on the legislation. Bills passed by the General Assembly that are not signed or vetoed by the Governor will automatically become law upon the expiration of this timeline.

**Priority Legislation that Passed**

**Community Living & Working**

**Places of Public Accommodation - Motion Picture Houses – Captioning**

**SB0092 and HB0426 | Support | Passed**

This bill requires that movie theaters shall provide access to closed movie captioning technology for each screening of a movie, that is produced and available with closed movie captioning, as required by Title III of the ADA.

Furthermore, if a movie is produced and available with open movie captioning, a place of public accommodation that has a movie theater with eight (8) or more screens in the state must provide open movie captioning for at least two screenings for each movie it screens each week. This requirement does not apply to movies screened fewer than 5 times from Friday through Thursday during any 7-day period, and applies only to the first 3 weeks after a movie premieres in the theater upon “reasonable notice,” beginning 3 weeks after a premiere.

**Family and Medical Leave Insurance Program - Modifications**

**SB0092 and HB0426 | Support | Passed**

This legislation modifies the timeline for the creation and implementation, of the Family and Medical Leave Insurance (FAMLI) Program, by moving the timeline back 6 months. This provides the state more time and relieves the financial obligation the state would bear for covering state employees and medicaid provider premium reimbursements for the 6 months period of the implementation delay.
Department of Aging- Caregiver Expense Grant Program - Established

**SB0202 | Support | Passed**

This bill creates a *Caregiver Expense Grant Program* for certain caregivers to use to offset certain qualifying expenses related to caring for a qualified family member. A “qualified family member” is defined as an individual who requires assistance with one or more daily living activities... AND 1.) is at least 60 years old being cared for by an adult relative or informal caregiver who is at least 18 years old, has Alzheimer’s disease or a related disorder, OR “is a child or adult with developmental or functional disabilities and is cared for by a parent, grandparent, or other relative who is at least 55 years old.” The caregiver must be income-qualifying and the amount of each grant can be up to $2500, subject to certain conditions. There is a grant application process for the Caregiver Expense Grant Program which will take effect July 1, 2024.

Housing Innovation Pilot Program and Housing Innovation Fund - Establishment (Housing Innovation Pilot Program Act of 2024)

**SB0203 | Support | Passed**

This bill establishes a Housing Innovation Pilot Program in the Department of Housing and Community Development to provide funds for mixed-income, cross-subsidized housing. It also establishes the Housing Innovation Fund as a special, nonlapsing fund. The funds may be used only to provide low or no-interest loans to local housing authorities or to county governments partnering with housing developers, and for projects where a county, in conjunction with a local Housing Authority or a housing developer acquires existing private sector housing. The legislation states the Governor may include in the annual operating or capital budget bill, an appropriation of 5 million to the fund in Fiscal Years 26 through 29. The Arc Maryland supported this legislation as it expands the stock of affordable, accessible, and safe housing for people with IDD. Most providers of The Arc in Maryland are also providers of affordable, accessible housing supports for people with IDD who receive their services.

Human Services - Attendant Care Program - Ongoing Additional Supports

**HB0215 and SB0226 | Support | Passed**

This bill modifies the Attendant Care Program in the state to allow for the reimbursement of “ongoing additional supports” provided as requested by a person to increase an individual's independent performance of essential daily activities.

The Attendant Care Program is administered by the Department of Health to help people with severe chronic and/or permanent physical disabilities living in the community. The goal of this program is to prevent nursing home admission by providing essential services and supports needed by service recipients in the community. Statute dictates the program functions by providing direct reimbursement for certain attendant care services obtained by the program participant. With this bill, the Department will now be allowed to expand the program to add reimbursement for “ongoing additional supports” as approved by the Department. Examples of such supports could be grocery delivery services, prescription drug delivery services, service animal expenses, laundry services, and more as needed to aid the independence of a person.
This legislation requires, on or before July 1, 2025, the principal departments of the Executive Branch (existing and future departments) to fully implement provisions of law requiring equal access to public services for individuals with limited English proficiency.

In existing law, reasonable steps to provide equal access to public services include:
1. the provision of oral language services for individuals with limited English proficiency, which must be through face–to–face, in–house oral language services if contact between the agency and individuals with limited English proficiency is on a weekly or more frequent basis;
2. (i) the translation of vital documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes 3% of the overall population within the geographic area served by a local office of a State program as measured by the United States Census; and (ii) the provision of vital documents translated under item (i) of this item on a statewide basis to any local office as necessary; and
3. any additional methods or means necessary to achieve equal access to public services.

The existing law required that reasonable steps be taken by departments to provide equal access to public services, with full implementation on or before July 1, 2003, yet there are continuing and significant language access barriers for people with limited English language proficiency. Another piece of legislation that would have taken aim at enforcement of this law, including oversight and potential penalties for non-compliance (HB987) did not advance.
SB0597 and HB0773 | Support | Passed

This establishes the Individuals with Disabilities and Service-Disabled Veterans Boating Fund, which will provide sailing, boating, kayaking, canoeing, paddleboarding, and surfing opportunities for individuals with disabilities and service-disabled veterans through funding administered by the Department of Disabilities. It also establishes the qualifications for certain nonprofit organizations to receive grants from the Fund.

While this bill could help provide additional recreational opportunities for people with disabilities, the bill was unfortunately amended to remove references to the Governor’s authority to include an appropriation in the budget for the fund.

State Department of Education - Division of Rehabilitation Services – Funding

SB0859 and HB1163 | Support | Passed

This bill authorizes the Governor to include, in the annual budget bill, an increase in the General Fund appropriation to go toward the Division of Rehabilitation Services (DORS): to ensure the State’s share of funding required under the Federal acts is met. This will position Maryland to capture maximum Federal Matching Funds for the service which will hopefully mean DORS may serve more people in need of assistance.

In the FY2025 budget, $0.7 million was added to increase the state match for DORS services in conformance with this passed legislation.

Public Safety - Missing Persons - Purple Alert Program

HB0195 | Letter of Information | Passed

This bill will establish a Purple Alert Program to assist in locating a missing person who has a cognitive impairment, mental disorder, intellectual or developmental disability, or brain injury that is not Alzheimer’s disease, dementia, or a physical, mental, or emotional disability related to substance abuse or who is deaf, deafblind, hard of hearing or late-deafened, whose disappearance poses a credible threat to the health and safety of the individual AND who does not meet the criteria for a Silver Alert.

It requires the Department of State Police to adopt guidelines and develop procedures for issuing a Purple Alert, and authorizes the Department to consult with relevant stakeholders representing citizens with disabilities to develop procedures for the program.

We look forward to working with the Department, as a relevant stakeholder, on details to implement the new law.
**Transportation - MobilityLink Paratransit Service Improvements – Study**

**SB0891 and HB1199 | Support | Passed**

This requires the Maryland Transportation Institute at the University of Maryland to conduct a study to identify methods to improve the Maryland Transit Administration’s ADA MobilityLink paratransit service.

The study will examine fleet maintenance, dispatch, customer services, and quality assurance, and look at metrics including on-time performance for pick-ups and drop-offs, missed trips, and outliers (excessive transit times). The study will also analyze the needs of the ADA paratransit services workforce. With input from the public and riders of the MobilityLink paratransit service, the MTI will develop recommendations for service improvements AND develop recommendations to address inter-jurisdictional restrictions to paratransit services, including restrictions relating to medical appointments that cross jurisdictional lines.

The bill authorizes that the Governor may include in the fiscal year 2026 budget bill (next year) an appropriation of at least $150,000 to carry out the study so we will be advocating for the inclusion of this funding in the FY26 budget as we go into next session.

**Environment - Playground Surfacing Materials - Prohibitions**

**HB1147 | Support | Passed**

This bill prohibits, on or after a certain date, a person from using, installing, supplying, selling, soliciting, or offering for sale playground surfacing materials that contain a certain concentration of lead or a component product, material, or substance to which PFAS chemicals were previously intentionally added. Lead is not safe at any level: lead poisoning can cause permanent brain damage in children and possible damage to the central nervous system, kidneys, and reproductive system.

**Renters' Rights and Stabilization Act of 2024**

**HB0963 | Support | Passed**

This legislation establishes an Office of Tenant and Landlord Affairs in the Department of Housing and Community Development to provide educational resources and information to tenants. It also requires the Office to develop and publish a Maryland Tenants' Bill of Rights which must be included as part of a residential lease. Additionally, it limits the maximum security deposit required by a residential lease to 1 month’s rent.

**Workgroup for the Deaf, Deafblind, and Hard of Hearing – Established**

**HB1069 and SB0084 | Support | Passed**

Through this bill, a Workgroup for the Deaf, Deafblind, and Hard of Hearing is established as an independent unit of State government to provide and advocate for accessible and comprehensive services, and foster inclusivity, equal opportunities, and improved quality of life for individuals who are deaf, deafblind, or hard of hearing.
Rehabilitation Services - Disability – Definition

HB0060 | Support | Passed

This legislation alters the definition of “disability” relating to the provision of rehabilitation services in the State to align with the federal Rehabilitation Act of 1973. It defines “disability” as any physical or mental impairment that constitutes or results in a substantial impediment to employment or independent living.

State and Local Parks - Play Area Accessibility - Recreation Communication Boards Pilot Program

HB0420 | Support | Passed

This bill establishes the Maryland Recreation Communication Boards Pilot Program and allows for up to $100,000 of the existing Park System Capital Improvements and Acquisition Fund to be used for the purchase and installation of communication boards in state parks. Communication boards are defined as devices that display photos, symbols, or illustrations with words and braille to supplement or replace spoken language as a means of expression and communication.

The bill stipulates that, subject to the availability of funding under the pilot program, the Department of Natural Resources shall construct a communication board in each newly constructed play area under its jurisdiction.

Maryland Achieving a Better Life Experience (ABLE) Program - Materials for Individualized Education Program, Individualized Family Service Plan, and 504 Plan Meetings

HB0336 and SB0592 | Support | Passed

This requires local school systems to provide parents at least one time each year, at their child’s individualized education program, individualized family service plan, or 504 plan meeting, written informational materials regarding the Maryland Achieving a Better Life Experience (ABLE) Program. The bill requires the State Treasurer to develop the informational materials about the Maryland ABLE Program that may be distributed electronically or by hand to families from the schools.
More Opportunities for Career-Focused Students Act of 2024

SB0033 and HB0837 | Support | Passed

Through this legislation, public high schools are required to inform students of employment and skills training opportunities and require a county board to assist public high schools generally relating to career education opportunities.

It is important for students to have opportunities and information about the trades. We believe that fostering this, and providing these opportunities, will lead to enhanced work and post-secondary outcomes for students with disabilities, upon exit from high school.

Education - Access to Attorneys, Advocates, and Consultants for Special Education Program and Fund – Established

SB0797 and HB0903 | Support | Passed

This bill establishes the Access to Attorneys, Advocates, and Consultants for Special Education Program (the Program) and Special Education Fund and to notify parents of the existence of the fund along with other notices about their rights, INCLUDING the right of the parent to be accompanied to the meeting by any individual who has knowledge or expertise regarding the student and written information about the Access to Attorney’s Advocates, and Consultants for Special Education program.

In existing education law, the parent of a child with a disability or a public agency may formally request mediation at any time to resolve any disagreement between the parties regarding the child’s special education services or program. The enactment of this bill will require that before mediation begins, the department must notify the parent of the Program.

Students eligible for assistance through the fund must meet income requirements, including a household income of not more than 150% of the income guidelines used by the Maryland Volunteer Lawyers Service. Parents must also have made at least one attempt to resolve the disagreement about the child’s special education services or program prior to accessing the fund.

The Program is only available to students who meet at least one of the following conditions:

1. A more restrictive or less restrictive placement is being proposed for the eligible student and the parent disagrees with the proposal.
2. A reduction in instructional or related services is being proposed for the eligible student and the parent disagrees with the proposal.
3. The eligible student has been suspended or removed from school for more than 10 days.
4. The school has requested a due process hearing against the eligible student or parent.
5. The eligible student has been restrained or placed in seclusion more than 10 times.
6. The school has proposed to enroll an eligible student in an alternative education program and the parent disagrees with the proposal.
7. The parent’s native language is not English and the parent seeks assistance with navigating the special education needs of the eligible student

A public agency annually will collect data from each mediation and due process proceeding, including details about the student and the nature of the disputes, and on or before November 1 each year, is required to submit a report to the General Assembly.
This bill allows the Maryland Higher Education Commission to waive certain requirements for college students with disabilities to be eligible for Senatorial and Delegate scholarships. A student with a disability will be eligible to receive a scholarship if they are taking less than 6 hours of classes in a semester or if they are taking a college course but not getting a college degree.

LEGISLATION

Education - Blind and Visually Impaired Students - Textbook Equity

HB1076 and SB1091 | Support | Passed

Through this bill, each county board of education, on or before March 15 each year, starting in 2025, is required to determine the instructional materials that will be used in the upcoming school year by students with IEPs and 504 plans. The County Board is required to coordinate with the Instructional Resources Center to provide the materials in a specialized format to students who are blind or visually impaired not later than the first day of classes of the upcoming school year.

If the county board is unable to fulfill the requirements of this bill, the county board and the family of the student must develop and agree on a plan to remedy the delivery of the instructional materials not later than 45 days before the first day of classes in the upcoming year.

Beginning January 1, 2025, a county board shall require, in any contract with a publisher of pupil education textbooks, that the publisher provide an electronic file of the textbook that meets certain standards at the same time the publisher provides the textbooks.

Early Childhood Education - Publicly Funded Prekindergarten Programs - Alterations

HB1441 | Support | Passed

This bill alters staff qualifications in eligible prekindergarten programs to address an educator shortage while providing assurances teachers have certain experience and qualifications to educate, a career ladder, and support from a Department-established “prekindergarten hub.”

The bill originally contained provisions to increase the pre-K expansion grant program and percentage of children in certain tiers who were funded by the grant, but much of that was removed through conference committee’s budget decisions to delay implementation of universal pre-k for certain children, and children of certain ages (3 year olds).

Higher Education – Part-Time Senatorial and Delegate Scholarships – Alterations

HB0901 and SB0967 | Support | Passed

This bill allows the Maryland Higher Education Commission to waive certain requirements for college students with disabilities to be eligible for Senatorial and Delegate scholarships. A student with a disability will be eligible to receive a scholarship if they are taking less than 6 hours of classes in a semester or if they are taking a college course but not getting a college degree.
Maryland Department of Health - 2-1-1 Maryland - Oversight

HB0353 | Support | Passed

This bill defines the term "Health and Human Services Referral System", for the purposes of certain provisions of law governing the system, to mean a certain coordinated system for health and human service resources that is accessible to state residents, 24-7, toll-free. It amends 2-1-1 responsibilities from just providing information, but also providing callers access to a single source of information and referral assistance to health and human services, community preparedness, and behavioral healthcare coordination.

Maryland Medical Assistance Program - Dental Services - Coverage and Rate Study

SB0600 and HB0103 | Support | Passed

This bill requires the Maryland Department of Health to study the feasibility of including removable full and partial dentures and setting adequate reimbursement rates for providers on a per-patient basis for house calls and extended care facility calls among the coverage offered by the Maryland Healthy Smiles Dental Program. It also requires the Department to report its findings from the study to the Senate Finance Committee and the House Health and Government Operations Committee by December 1, 2024.

Emergency Medical Services - Maryland Emergency Department Wait Time Reduction Commission and Standardized Protocols – Establishment

HB1143 | Support | Passed

This bill establishes the Maryland Emergency Department Wait Time Reduction Commission to address factors throughout the health care system that contribute to increased emergency department wait times.

The original bill indicated the Commission would be led by the Maryland Institute for Emergency Medical Systems Services. However, the bill changed to assign authority of this Commission to the Health Services Cost Review Commission--an agency with a focus on the cost more so than the quality of patient care. We are encouraged however by the broadening of the Commission’s scope to look at the entire care continuum system, including community capacity.

This is a three-year Commission, and there is a clear expectation that Maryland’s ER wait times will shorten so that Maryland will not continue to have the longest wait times in the United States.
Maryland Medical Assistance Program - Employed Individuals With Disabilities

HB0822 and SB0790 | Support | Passed

These bills (not crossfiled but later amended to conform to one another) make certain changes to the Employed Individuals with Disabilities (EID) Program (also referred to as the Medicaid Buy-in Program) to eliminate the “marriage penalty” of enrollees, stating that the department may not limit eligibility to receive EID program services based on the income of the applicant or spouse, or assets/resources of the applicant’s or recipient’s spouse that are not joint assets for a recipient, nor may eligibility be limited by assets in an Independence Account. An Independence Account, authorized through this legislation, is an account that enrollees in the EID program may establish and contribute to without restrictions on how funds may be expended by the recipient. The income cap for eligibility was removed, however, the assets of a person are capped at $10,000.

Through an amendment, the upper age limit for the EID program was not removed, meaning that people 65 and older will continue to be ineligible for the program. However, the bill requires that on or before December 1, 2024, the Maryland Department of Health shall meet with a state-based coalition of disability advocates twice a year to receive feedback on and discuss any needed changes to the EID program and report to the Senate Finance Committee and the House Health and Government Operations Committee on the fiscal and operational impact of implementing an Employed Individuals with Disabilities Program that serves individuals age 65 and older, including options of eliminating or increasing the age cap with enrollment. It also establishes a premium contribution for EID Program services that is based on an applicant’s earned and unearned income.

Public Safety - 9-1-1 Trust Fund – Alterations

SB0252 | Letter of Information | Passed

This bill alters the 9-1-1 Trust Fund to authorize the use of certain allocated funds for the payment of the salary of certain personnel. The Arc Maryland submitted a letter of information to encourage the full implementation of Next Gen 911 and voluntary disclosure modules so that first responders have critical information, provided by the individual, when responding to a call for help.

The same year, the “Spread the Word to End the Word” campaign launched to encourage people to sign the pledge to end the “R-Word.” In 2010, President Obama signed Rosa’s Law which changed the language in US federal law.

In 2013, the Diagnostic and Statistical Manual (DSM-5) included the diagnosis of intellectual disability, aligning the diagnosis terminology with more appropriate language, and the requirements in Rosa’s Law.

This legislation, when enacted, will finally eliminate the use of the outdated, medical language that remained in our Courts, Judicial Proceedings, and Criminal Procedure statutes to this point.

Priority Legislation that Did Not Pass

Community Living & Working

Maryland Disability Service Animal Program - Established

If passed, this bill would have established a Maryland Disability Service Animal Program in the Department of Disabilities, who would select a nonprofit training entity for participation in the Program, and would have established the Maryland Disability Service Animal Program Fund as a special, nonlapsing fund. The Senate accepted amendments proposed by the DD Coalition so that eligible people are those with disabilities as defined by the ADA. Unfortunately, the bill did not advance out in the House HGO committee, despite positive testimony from many stakeholders.
LEGISLATION

Vehicle Laws - Licenses, Identification Cards, and Moped Operator’s Permits - Identification of Nonapparent Disability

**SB1096 and HB1456 | Support | Did Not Pass**

This would have required that an application for a license, an identification card, or a moped operator’s permit allow the applicant to indicate if they have a nonapparent disability, marking their ID with an “ND” notation.

We understand why some individuals with nonapparent disabilities and some families may want this option for themselves or their loved ones. The Arc Maryland supported the legislation with amendments to require the bill include a requirement for police training on what to do when presented with an identification card or driver’s license that has an ND notation, and funding for the Ethan Saylor Alliance for advocates as police trainers. We also asked for an amendment to require the MVA to update their systems to ensure information that is put into the system of a child will be purged at the age of majority (unless the adult advocate puts the information back in the system, exercising their choice to be identified as a person with an ND) and make assurances that the designation on a person’s Driver’s License or in the system would not trigger an MVA requirement for a medical review.

**Therapeutic Child Care Grant Program - Funding - Alterations**

**SB0419 and HB0377 | Support with Additional Information | Did Not Pass**

This would have altered each fiscal year, beginning this year, during which the Governor is required to include an appropriation to the Therapeutic Child Care Grant Program in the Annual Budget.

There are currently 5 Therapeutic Child Care Grant recipients in the state with two additional programs getting ready to launch, according to our partners. The program is set to sunset soon but there is still time to bring this bill back next legislative action to achieve an extension of the program.

**Public Schools - Student Health - Certificate of Dental Health**

**HB0167 | Support (as amended) | Did Not Pass**

This would have required the State Department of Education to support and facilitate each county board of education in publishing information on financially accessible dental health available in the county in student handbooks and on local school board system websites.
Criminal Law - Theft - Mail and Arrow Key

SB0373 | Support | Did Not Pass

This bill was significantly altered through amendments to only refer to stolen mail and postal worker mail keys. The changes made would not have significantly changed existing Maryland law related to mail theft, however, they would increase penalties for mail key theft, which does not have a significant value in and of itself, but causes significant expense to the postal service to change locks when a key has been stolen.

Individuals with IDD and other disabilities fall victim to identity theft and mail fraud to a greater degree than people without disabilities and often have greater difficulty addressing identity theft and resolving it. The bill did not come out of the House Judiciary Committee after cross-over.

Election Law - Petitions and Ballot Questions - Plain Language Requirement

SB0495 | Support | Did Not Pass

This legislation would have required the State Board of Elections, when preparing guidelines and instructions for compliance with the plain language requirement imposed by this bill, to consider generally accepted guidelines regarding compliance with the Federal Plain Writing Act of 2010.

Petition for Guardianship of the Property of Alleged Disabled Person - Stay of Civil Actions and Proceedings

HB0359 | Support | Did Not Pass

This bill would have required an automatic stay of certain civil actions or proceedings on the filing of a petition for guardianship of the property of an alleged disabled person. It would also require, in the serving of process (such as notice of a claim) for certain civil actions against an alleged disabled person, the temporary or permanent guardian of the property of the disabled person to be served. This includes protections for the filing of a petition for a change in guardianship.

Despite our efforts to contact committee members late in the session, this bill failed to move out of the Senate Judicial Proceedings Committee after passing through the House of Delegates.

Election Law - Curbside Voting

HB0641 | Support | Did Not Pass

This legislation would have required boards of elections to designate an outside location for curbside voting and establish requirements governing curbside voting. It was amended to ensure curbside voting would be an option for all people to provide an easier way for people to exercise the right to vote.
Additional Tracked Legislation That Did Not Pass

**Community Living & Working**

**Developmental Disabilities – Community Providers – Federal Participation for Local Funds**

*HB0509 and SB0599 | Letter of Information | Did Not Pass*

This legislation would have required the Maryland Department of Health to develop a process to receive federal financial participation for the payment of county or municipal general funds appropriated to community providers that serve individuals with developmental disabilities. It also would have required the Department to allocate the federal financial participation to the community providers to which the county or municipality general funds were appropriated.

We had concerns that further study is needed to examine the impacts it could have, not just on participating counties and municipalities, but on the rest of the state, as we believed it would remove needed flexibility for how these funds are used by providers (on necessities not funded through the Medicaid rates) and would further complicate an already complicated rate system.

We understand there will be a study on this over the summer, and look forward to being involved in that.

**Task Force to Study Paratransit in Maryland**

*SB0331 | Letter of Information | Did Not Pass*

This bill would have established a Task Force to Study Paratransit in Maryland, including current, needed, and expected funding for paratransit, reasons for current funding and spending gaps, and the role public-private partnerships could play in meeting funding and service gaps.

There is currently a Health and Human Services Transportation Workgroup that was established by Executive Order. As they are tasked with looking at Paratransit as a part of their duties, it is possible this Task Force on Paratransit may be duplicative.

**Health - Small Halfway Houses and Small Private Group Homes - County Zoning**

*SB0866 | Oppose | Did Not Pass*

This would have authorized counties to deem conclusively that a small halfway house or small private group home is a single-family dwelling or a multifamily dwelling for purposes of zoning. We expressed concern this bill would have limited where small group homes could exist in our communities, and likely would have violated Federal Fair Housing law. This bill was ultimately withdrawn.
**Medical Cannabis – Employees in Health Care Settings Caring for Qualifying Patients**

**SB0347 and HB0790 | Letter of Information | Did Not Pass**

This would have authorized designated medical personnel to administer medical cannabis to qualifying patients only if the cannabis is obtained through the qualifying patient's caregiver and is administered in accordance with the certifying provider's written instructions. It would have also provided that designated medical personnel are not required to register with the Maryland Cannabis Administration, and would exempt designated medical personnel from civil and criminal penalties relating to the administration of medical cannabis.

While cannabis has health benefits for people with IDD and certain conditions, we have concerns about the current illegality of cannabis on the federal level, and how this could jeopardize our federal match on Medicaid funding.

**Employment Discrimination – Use of Cannabis Products**

**HB0525 and SB0513 | Letter of Information | Did Not Pass**

This bill would have prohibited employers from discriminating against an individual because of the individual's use of cannabis products. While we understand that we are in a complicated time: cannabis in certain quantities is legal in Maryland and there is no current test to distinguish between levels of cannabis in a person's system that are remnant of older use, versus levels that may indicate intoxication. We asked for an amendment to carve out employees working in “safety-sensitive” positions, similar to DC law which addresses the issue.

People who work in our field have to be able to provide quality, safe, reliable care to vulnerable adults.

**Primary and Secondary Education - Education Savings Account Program - Established (Maryland Universal School Choice Act)**

**HB0675 | Oppose | Did Not Pass**

This bill would have established the Education Savings Account program, administered by the State Department of Education, to provide grants to the account of the parent of an eligible student to provide for the eligible student’s education. It would have required the parent of an eligible student to participate in an agreement with the Department and allowed a subtraction modification under the Maryland income tax for deposits into an education savings account.

We prefer that any funds the state may have available for school choice grants instead be directed to public education enhancements. We were concerned this bill may have created a work-around to the BOOST program, which includes considerations for students with disabilities. If grants are going to be given by the state for use in non-public school admissions, there should be requirements for non-public schools that accept grant funding from parents of students with special education needs, to comply with the IDEA as if they were a public school, with all of the associated responsibilities and requirements.
LEGISLATION

Education - Student Behavior - Parent and Guardian Notice and Required Counseling (Parent and Guardian Accountability Act)

HB0206 | Oppose | Did Not Pass

This legislation would have established that it is unlawful for a parent or guardian of a student in a public school to fail to seek and participate in counseling, with the parent's or guardian's child, after receiving a certain school notice of violent and disruptive behavior. It would have also required a public school principal to provide written notice to the parent or guardian of a student who engages in two or more incidents of violent and disruptive behavior on school premises or during school-related activities during the school year.

We were concerned that requiring parents to receive counseling for the behavior of their children is inappropriate for many students with disabilities whose behavior may be related to their disability. While school-parent partnerships are important and should be a focus, we believe this particular bill/requirements would have put desperate and undue burden on families of students with disabilities, is not in line with significant work to instill restorative practices in school, and is not supported in the trauma-informed care model.

Commission on History, Culture, and Civics in Education

HB0050 | Letter of Information | Did Not Pass

This bill would have established the Commission on History, Culture, and Civics in Education to make recommendations to the State Board of Education and the State Department of Education to further the discovery, interpretation, and learning of the history, culture, and civics of the United States and Maryland.

The Arc Maryland submitted a letter of information to ensure that alterations to the curriculum of history, culture and civics would include information on the history and culture of disabilities. This is important to increasing knowledge and understanding for greater inclusion and acceptance. In our letter of information, we also requested a change to a term- from "Differently abled" to "person with a disability", and to add an additional member to the Commission from the disability community.

Public Schools - Appropriations for School Safety Expenditures - Increase (School Safety Enhancement Act of 2024)

HB0157 | Letter of Information | Did Not Pass

Beginning in fiscal year 2026, this bill would have required increasing from $10 million to $20 million an annual appropriation to the Safe Schools Fund to provide grants to local school systems and local law enforcement agencies to assist in meeting an annual reporting requirement on law enforcement coverage in public schools.

School safety is important and so is having resources for positive behavioral supports, training for teachers, and environmental modifications that could ensure access and safety. While we understood the positive intention of this legislation, we disagreed on the proposed use of the appropriation.
**LEGISLATION**

**Education - Primary and Secondary Schools - Alternative School Options (Right to Learn Act)**

**HB1027 | Letter of Information | Did Not Pass**

This bill would have required that on or before January 1 each year, county boards of education had to provide information to the parents or legal guardians of students who attend a “failing” school. It would have also required a failing school to retain the failing school designation until the school received a certain rating, and would have required that students attending a failing school be provided the opportunity to attend an alternative school.

This legislation did not include requirements for schools to accept and accommodate students with IEPs and 504 Plans and would have the effect of funneling money out of the public school system which would have disparate impacts on students with disabilities. We expressed our concerns in a letter of information as a member of the Education Advocacy Coalition.

**Education – Prekindergarten and Withholding of County Board Funding (Blueprint Accountability and Flexibility Act of 2024)**

**HB1432 and SB1062 | Oppose | Did Not Pass**

This bill would have altered certain dates related to the family share for Tier II children in publicly funded prekindergarten and the proportion of eligible private provider prekindergarten slots. It also would have repealed the authorization for the State Department of Education to exclude by annual waiver Tier I children who are 4 years old from a certain prekindergarten slot calculation, and established a process for the Accountability and Implementation Board to withhold certain funding from a county board under certain circumstances.

**Task Force on Reducing Emergency Department Wait Times**

**HB0784 | Oppose | Did Not Pass**

This would have continued the work of a Task Force on Reducing Emergency Department Wait Times to monitor, discuss, and make recommendations for reducing emergency department wait times including legislative, regulatory, or other policy initiatives.

We understood the workgroup was not effective in making progress on this issue, and we did not think additional time would result in a better outcome. We chose instead to support a similar piece of legislation: HB1143 which we felt had a better chance of producing solutions to this issue.
LEGISLATION

End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act)

HB0403 and SB0443  |  Letter of Information  |  Did Not Pass

This bill would have authorized an individual to request aid in dying, and would have established requirements and prohibitions governing aid in dying, including requirements related to requests for aid in dying, consulting physicians, mental health assessments, the disposal of drugs prescribed for aid in dying, health care facility policies, and the effect of aid in dying on insurance policies; authorizing a pharmacist to dispense medication for aid in dying only to certain individuals under certain circumstances.

The Arc Maryland submitted a letter of information regarding our membership's experiences with historic equity and access denials to quality healthcare as a lens through which this bill had to be considered. We also acknowledged that views on the creation of this option are split amongst our membership with some members wanting the option, and others wary of the creation of this option in Maryland. We wrote that, if legislation were to pass in Maryland, there must be safeguards to ensure a person is receiving accurate information through which they are basing their decisions (second opinions) and there is a data collection component to determine if the use of this option is greater amongst people with low incomes, people with disabilities, black and brown people, LGBTQIA+ communities, intersections, and other historically disenfranchised groups.

Justice & Civil Rights

Election Law - Polling Places - Establishing Voter Identity (Voter Privacy Act of 2024)

HB0142  |  Oppose  |  Did Not Pass

This bill would have authorized a voter to establish their identity at the request of an election judge at a polling place by presenting the voter's registration card, a valid Maryland driver's license, or certain other identification that contains a photograph. We opposed the legislation as we believe this would present barriers to people with IDD and interfere with the exercise of their voting rights.

Elections - In-Person Voting - Proof of Identity

HB0192  |  Oppose  |  Did Not Pass

This legislation would have required an election judge to establish a voter's identity by requiring the voter to present a valid government-issued photo identification or a valid non government-issued photo identification, and a current bill, statement, or check that stated the voter's name and address as proof of identity. It would have required a voter to vote a provisional ballot if the voter was unable to provide certain proof of identity; and would have prohibited a person from knowingly and willfully voting or attempting to vote under a false form of identification.

We believed this would present barriers to people with IDD and interfere with the exercise of their voting rights.
Election Law - Absentee Ballots - Signature Requirements and Verification

HB0202  |  Oppose  |  Did Not Pass

This bill would have prohibited local boards of elections from removing an absentee ballot from a return envelope or ballot/return envelope or counting the ballot unless the return envelope or ballot/return envelope was signed by the voter and, except under certain circumstances, a witness. Further if would have required that the local board verified the voter’s signature.

We believed this would present barriers to people with IDD and interfere with the exercise of their voting rights. There are many people with IDD who use an unconventional signature or who are physically unable to sign a ballot, but who still have a right to vote and have their vote count.

Criminal Law – Crime of Violence – Second Degree Assault of a School Employee or Subcontractor (School Assault Reduction and Prevention Act)

HB0758 and SB0927  |  Oppose  |  Did Not Pass

This would have established the second degree assault of an employee or a subcontractor of a public or private elementary or secondary school as a crime of violence for certain purposes. We had concerns about how students with disabilities, including Behavioral Health conditions, might be considered if a behavioral incident results in injury to school personnel.

Public Schools - School Resource Officers - Firearms Required

SB0819  |  Oppose  |  Did Not Pass

This legislation would have required a Baltimore City school police officer and a school resource officer to carry a firearm while present on the premises of the school to which the officer is assigned.

Arming School Resource Officers could pose a danger to students with disabilities and behavioral conditions who may come into contact with school police who are often called upon to help in behavioral incidents.
LEGISLATION

Estates and Trusts - Guardianship of the Person of a Disabled Person - Expedited Proceedings

HB0698 and SB0759 | Oppose | Did Not Pass

This bill would have required a court to rule on petitions to appoint a guardian of the person of a disabled person, in order to seek transfer or discharge of a disabled person from a hospital, within 10 days. It also would have required that hearings to appoint a guardian of the person of a disabled person be held virtually unless the party seeking appointment requested that the hearing be held in person.

While we agree with proponents that hospital overstays are an issue, we disagreed that this was the remedy for people with IDD. Guardianship reviews are important and should be done in the time needed to gather all pertinent information. To mandate that reviews should be expedited for people with disabilities could result in more people with IDD being remanded to guardianships, instead of having the opportunity to exercise alternatives to guardianship such as Supported Decision Making, with the opportunity to exhaust less restrictive options prior to the consideration of a guardianship appointment. This legislation was ultimately withdrawn.

Facilities - Disabilities and Juveniles - Community Relations Plans

HB1359 | Oppose | Did Not Pass

This bill would have required that certain regulations adopted by the Department of Juvenile Services governing juvenile care facilities and juvenile detention facilities included a requirement for the establishment, implementation, and review of certain community relations plans that included descriptions of certain processes and procedures. It also would have required certain State residential centers and private group homes to establish, implement, and revise certain community relations plans.

We were concerned that this legislation violated Maryland Statute (Health General Article 7-603) and likely violated the Federal Fair Housing Amendments Act. The legislation was withdrawn.
THE ARC MARYLAND 2024
PUBLIC POLICY TEAM

Ande Kolp, Executive Director
Luc Chausse, Director of Communications and Engagement
Dorothy Plantz, Board Member and Governmental Affairs Committee Co-Chair
Tony Zanfordino, Board Member and Governmental Affairs Committee Co-Chair
Sharon Dols, Deputy Executive Director
Coni Nepomuceno, Director of Family Programs and Outreach
Natalie Dohner, Director of Education Initiatives and Partnerships
Dominique Palmer, Advocacy Specialist
Lori Scott, Board President and Education Advocacy Committee Co-Chair
Kim Tart, Board Secretary and Education Advocacy Committee Co-Chair

2024 LEGISLATIVE SESSION
BY THE NUMBERS

446th Session of the Maryland General Assembly
47 Senators (34 Democrat, 13 Republican)
141 Delegates (102 Democrat, 39 Republican)
1,188 Senate Bills and 383 Bond Initiatives
1,526 House Bills and 369 Bond Initiatives
179 Bills Tracked By The Arc Maryland
122 Positions Taken On Bills
54 Bills Monitored