



## 2022 LEGISLATIVE OVERVIEW

April 2022



This overview highlights some of the budgets and key pieces of legislation from the 2022 legislative session. It focuses on the issues that were important to the lives of people with developmental disabilities and their families.

The 2022 session of the Maryland General Assembly ended April 11, 2022. It was different again this year because of COVID-19. Public hearings and testimony were done in a hybrid way (some in-person and some virtually). The Senate and House each issued rules they would follow during the legislative session. To make sure everyone understood the rules, the Council partnered with leadership in the Senate and the House to create plain language and easy read versions.

A lot of important work was done this year. Advocacy led to more funding for community services provided by the Developmental Disabilities Administration (DDA) and the Autism Waiver; paid family and medical leave for workers to allow them to care for themselves and their families; supported decision making so people can make their own decision with the support they need; the prohibition of the use of seclusion in our public schools; and steps to make our State parks more accessible.

Keep reading to learn about these issues and more.

### ANNAPOLES 101

A bill is a change to the law. Each bill is assigned a number so it can be identified. A bill can change, create, or delete anything the government does, unless it is in the state's constitution. One other thing to keep in mind: Federal law will always be followed first.

To become a law a bill must make its way all the way through the process in both the House and the Senate before heading to the Governor.

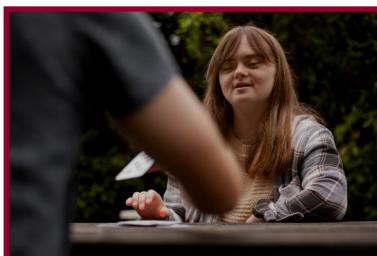
The General Assembly is required to pass a balanced budget and provide for a free and appropriate education. That's it. The budget is proposed by the Governor. The legislature can only reduce funding or move it around. More money cannot be added.

## DEVELOPMENTAL DISABILITIES ADMINISTRATION BUDGET

FISCAL YEAR 2023: JULY 1, 2022—JUNE 30, 2023

FUND	INCREASE IN FUNDING (NOTE: FIGURES ARE ROUNDED)	IMPACT (ESTIMATED)
DDA Community Services	\$82.6 million (General + Federal funds)	To provide an 8% rate increase for DDA community services.
Transitioning Youth	\$18.6 million (General + Federal funds)	To provide community services and support to about 560 eligible youth who exit high school.
Emergencies	\$791,200 (General + Federal funds)	To provide community services and support to about 32 people in emergency situations.
Waiting List	\$9.8 million (General + Federal funds)	To provide community services and support for about 214 people on the DDA waiting list with the most urgent needs.
Waiting List Equity Fund	\$550,500 (General + Federal funds)	To provide community services and support to about 36 people on the DDA waiting list with the oldest caregivers.
Department of Social Services (DSS) Aging Out Placements	\$422,000 (General + Federal funds)	To provide community services and support to about 20 young adults aging out of DSS programs.
Low-Intensity Support Services	\$5.5 million (General funds)	To provide short-term, low-cost support to about 2,800 people with developmental disabilities and families.

*Additional funds are included to continue providing services for people already receiving services. DDA's FY 2023 Community Services budget totals over \$1.5 billion.*



### DDA REPORT REQUIRED

- The Maryland Department of Health must send a report every 3 months to the budget committees about the DDA's transition to the fee-for-service system and the new rates. The report must include information about the timeline, cost, number of people served, and other information.

# MARYLAND STATE DEPARTMENT OF EDUCATION (MSDE) BUDGET

FISCAL YEAR 2023: JULY 1, 2022—JUNE 30, 2023

The FY 2023 budget includes the following funding, among other things, that will impact children with disabilities and their families:

- \$30.7 million for the Autism Waiver - a \$2.8 million increase over FY2022 so another 100 children with autism receive services. The General Assembly also made \$40 million available to end the wait for Autism Waiver services. \$10 million will go to MSDE in FY 2023 and \$30 million is in a “dedicated purpose account” where it will be held for future costs of getting children and adults into services. MSDE must apply to increase the waiver slots.
- \$14.6 million for the Maryland Infants and Toddlers Program - a \$4.3 million increase over FY 2022.
- \$170.7 million for public full-day prekindergarten as required by the Blueprint for Maryland’s Future.
- \$154 million in State and Federal funds for the Child Care Scholarship Program, which helps low-income families pay for child care. This includes \$2 million to waive the cost of co-pays for families. Co-pays are the part of the cost of child care the families would usually pay even when they are part of the Child Care Scholarship Program.
- \$10 million for the Broadening Options and Opportunities for Students Today (BOOST) Program. BOOST provides scholarships to students to attend private schools. Most private schools do not have to comply with the Individuals with Disabilities Education Act (IDEA). If a student with a disability enrolls, the private school does not have to provide the services and support he or she needs. However, the advisory board that awards scholarships must consider the needs of students with disabilities when it determines the amount of a scholarship award.



MSDE's FY2023 budget totals over \$8.9 billion.

## PRIORITY BILLS IN THE 2022 SESSION

The Council worked with people with developmental disabilities, their families, other organizations, state agencies, and legislators to bring about change to make it possible for people with developmental disabilities to live the lives they want with the support they need.

Below is a summary of a lot of the important bills the Council worked on this year to advance our vision for Maryland - that people with and without disabilities live, learn, work, and play together.

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## LIVE

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**SB 559/HB 529 - Estates and Trusts - Supported Decision Making** formalizes supported decision making agreements to make sure that people accept them. It creates clear guidelines and protections in making these agreements. Supported decision making allows a person to continue to make their own decisions. It recognizes that people use support to do so. It preserves a person's right to make their own choices and decisions. It recognizes that just like people without disabilities, people with disabilities rely on "supporters" - the people who they trust to help them make, communicate, and effectuate their decisions. [The bill passed.](#)



*The Council's support of supported decision making (SDM) began years ago when we provided a grant to help create the Cross-Disability SDM Coalition - a group of over 27 partners. Our funding provided technical assistance to the Coalition from the National Resource Center for SDM to draft an action plan that led to this legislation. During the session, we did a lot of work with Disability Rights Maryland, legislators, other advocates, and those with concerns about the bill to reach an agreement.*

## Health

**SB 636/HB1403 - Maryland Department of Health - Waiver Programs - Waitlist and Registry Reduction (End the Wait Act)** requires the Maryland Department of Health to develop plans to reduce the waitlists for all waiver programs, including the Autism Waiver registry and the DDA Waivers, by 50% beginning in Fiscal Year 2024. It also requires the Governor to fund the services. [The bill passed.](#)

*The General Assembly made sure money was available for more Medicaid Waiver services next year. The Council strongly supports increasing access to waiver programs because they help people with disabilities live the lives they want with the support they need. Thousands of those Marylanders are waiting for services. This will help address that.*



**SB 150/HB 6 - Maryland Medical Assistance Program - Dental Coverage for Adults** requires the Maryland Medical Assistance Program to provide dental services for adults whose annual income is at or below 133 percent of the federal poverty level. [The bill passed.](#)

*The Governor included \$82 million in a supplemental budget to support this bill and further expand Medicaid dental coverage. The Council was part of the Task Force that identified barriers to dental care. The money increases access to dental services for low income Marylanders.*



**SB 868/HB 1020 - Developmental Disabilities Administration - Self-Directed Services (Self-Direction Act of 2022)** seeks to restore the choice and flexibility for people to self-direct the services they receive in Maryland. [The bill passed.](#)

**HB 1082 - Public Health - Consumer Health Information - Hub and Requirements** requires State and local agencies to use plain language in public communications about health, safety, and social services. [The bill passed.](#)

*The Council strongly supports efforts to make sure more Marylanders get access to the information they need in the way they need it.*

## Voting

Voting is a fundamental right. People with disabilities want and need access to the voting process.

The Council supported HB 702 - Election Judges - Training and Signs - Accommodations for Voters in Need of Assistance which would have made voting in-person easier and more accessible for people with disabilities. It required election judges to provide assistance and information to voters with disabilities. **The bill did not pass.**

The Council opposed a number of bills that would have made voting harder for people with disabilities. They are:

**HB 99 - Election Law - Absentee Ballots - Signature Requirements and Verification**

**HB 113 - Elections - In-Person Voting - Proof of Identity**

**HB 212 - Election Law - Signature Verification of Absentee Ballots and Absentee Ballot Applications and Ballot Canvassing**

**SB 532 - Election Law - Polling Places - Proof of Identity**

**HB 963 - Election Law - Absentee Ballots - Signature Verification and Verification Statements and Unsigned Ballot Statements**

[None of them passed.](#)

## LEARN



**SB 705/HB 1255 - Education - Physical Restraint and Seclusion - Limitations, Reporting, and Training** prohibits seclusion in public schools for any reason, and prohibits seclusion in nonpublic schools unless a school has a licensed psychologist, licensed clinical social worker, registered nurse, or licensed clinical professional counselor in the building. It also requires MSDE to develop an accountability system and make recommendations to reduce the use of restraint and seclusion; and conduct more training for teachers and other school employees. [The bill passed.](#)

*The Council worked closely with the Education Advocacy Coalition, legislators, and other stakeholders to move Maryland forward and stop the use of seclusion in public schools. This bill represents the hard work of the Council, Disability Rights Maryland, and other advocates over many years.*

**SB 617/HB 547 - Local School Systems - Equivalent Access Standards - Digital Tools (Equivalent and Nonvisual Access Accountability Act for K-12 Education)** requires that local school systems provide equal access to all digital tools used for instruction for students with and without disabilities. The bill puts accountability measures in place if digital tools do not meet standards for access to all students. [The bill passed.](#)

*The Council worked with bill sponsors and legislative staff to add amendments that provide equal access to digital tools for all students with disabilities, in addition to by nonvisual means.*

**HB 660 - Commission to Study the Division of Rehabilitation Services (Student Job Training Reformation Act)** establishes the Commission to Study the Division of Rehabilitative Services (DORS) to evaluate and make recommendations to improve DORS's programs and services. The Commission has to report its findings and recommendations to the Governor and the General Assembly by December 15, 2022. [The bill passed.](#)

*The Council was named as a Commission member. We will focus on ways to build the capacity of DORS. We will also help identify ways to make sure more people with disabilities get the services and support they need, and those already receiving services get the breadth of support DORS offers to participate in the workforce.*

**HB 513 - Infant and Early Childhood Mental Health Support Services Program** - Established formally establishes the Infant and Early Childhood Mental Health Support Services Program within MSDE. The Program builds the capacity of early childhood education programs to promote the social and emotional well-being of young children. [The bill passed.](#)



**HB 850/SB 666 - Schools, Prekindergarten Programs, and County Boards of Education - Discrimination** protects all students, PreK-21, who are enrolled in public schools and in schools receiving public funding from discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability. [The bill passed.](#)



**SB 299/HB 136: Education - Public and Nonpublic Schools - Seizure Action Plans** brings awareness to all school personnel who work directly with students so that students living with epilepsy or a seizure disorder can feel safe in school and reach their full potential. It does this by requiring two school employees to be trained in recognizing the signs and symptoms of a seizure, administering first aid, and administering seizure medication. It also requires parents of a student diagnosed with a seizure disorder to collaborate with school personnel to create a seizure action plan. [The bill passed.](#)

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## WORK AND PLAY

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**SB 275/HB 8 - Labor and Employment - Family and Medical Leave Insurance Program - Establishment (Time to Care Act of 2022)** establishes the Family and Medical Leave Insurance Program which allows workers to take up to 12 weeks of paid leave to care for themselves or a family member. It provides protection for an employee's job and covers nearly all Maryland workers. [The bill passed.](#)

*The Council worked with a coalition of stakeholders to support this bill because access to paid family and medical leave is an important part of the range of supports people with disabilities and their families need. The odds of a worker losing income increases by 48% if the worker lives with a child with disabilities and by 29% if the worker is caring for an adult with disabilities. Having access to dedicated paid family leave reduces the odds of losing income by 30%.*

**SB 93 - Tax Credits - Employment of Individuals With Disabilities** increases the size of the tax credit for employers who hire people with disabilities or that cover child care expenses for employees. The Council worked with DD Coalition partners to support SB 93 as the tax credits provide a financial incentive for employers to hire people with disabilities. [The bill passed.](#)



## Parks and Recreation



**SB 541/HB 727 - Natural Resources - Maryland Park Service and State Parks - Alterations (Great Maryland Outdoors Act)** addresses the structure of and access to Maryland's State parks. The Park Service must design programs and features in state parks to provide maximum access for people with disabilities. Certain additional funding is required to be used to make physical improvements to parks to make them more accessible to people with disabilities. [The bill passed.](#)

**HB 1332 - State and Local Parks - Playground Accessibility - Communication Boards** would have required a communication board in each public playground by October 1, 2027. [The bill did not pass.](#)

## Transportation

**HB 141 - Equity in Transportation Sector - Guidelines and Analyses** requires the State to make sure public transportation plans, funding, and goals are set in a way that impacts everyone the same way. Any changes or additions in transportation services must include an analysis about the impact on various groups, including people with disabilities. [The bill passed.](#)

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## BY THE NUMBERS

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444th Session of the Maryland General Assembly



47 Senators



141 Delegates



1,011 Senate Bills



1,487 House Bills



165 Bills tracked by the Council



79 Priority Bills



86 Monitored Bills