Support Individuals with Disabilities and their Families

The following legislation affects people with disabilities and their families:

**HB 354/SB 343: Maryland Achieving a Better Life Experience (ABLE) Program - Account Establishment - Procedures**

Changes Maryland law to align with changes made to the Federal law. It raises the age limit for when someone can to set up an ABLE Account. It also clarifies and increases what people can help someone set up an ABLE Account.

- Maryland ABLE accounts help individuals with disabilities save money and pay for qualified disability-related expenses without losing the federal and state benefits they need, like SSI or Medicaid benefits. Congress passed the ABLE Age Adjustment Act. It raised the age limit for those eligible to open an ABLE account. The age limit increased from age 26 to age 46, making it possible for people who are disabled later in life to open an ABLE account. Additionally, there have been other changes on the federal level to clarify who may help a person open an ABLE account.
- More people will be able to open ABLE Accounts to save their money, and have money when they need it for “qualified disability-related” expenses.

**HB 1149/ SB 622: Medicaid Waiver Programs – Waitlist and Registry Reduction (End the Wait Act)**

- The End the Wait Act of 2022 required the Department of Health to develop plans to reduce registries and waiting lists by 50% in Fiscal Year 2024. It required the Department of Health to review current provider capacity and rates to support increases in services. The General Assembly put thirty (30) million dollars in a designated fund for the implementation of the new law.

  - This bill clarifies how the 30 million dollars should be used. Ten (10) million dollars must be used to expand the Autism Waiver by 1350 slots. The rest of the fund must be used to provide community services to individuals on waiting lists (including the waiting lists for the DDA Waivers), and some of the fund may be used to increase provider capacity, for hiring and retaining staff and providers, increasing rates, and addressing other issues related to capacity.
SB 344: Income Tax - Caregiver Tax Credit
  • Allows caregivers of “qualified family members” - relatives who are at least 18 years old - with certain income levels to take a credit against their state income tax. Many family members provide support to their loved ones beyond the age of 18. If a person with a disability needs support and does not have services, often a family member provides the support. 1 in 4 caregivers report their family member is waiting for a government-funded service with some waiting for more than 10 years for help.
  • This tax credit would help lessen the cost burden for caregiving relatives of adults with disabilities.

Bills related to the Division of Rehabilitation Services:

HB 621: State Department of Education - Division of Rehabilitation Services - Information Posted on Website
Requires the Division of Rehabilitative Services (DORS) to put information on their website to include the number of open cases. DORS would also be required to update the number monthly.
  • This is important because people wait a long time for DORS services. The public and legislators will be able to see how many people are waiting for critical services and take action to address long wait times.
  • We would like to see the data separated to show how many people are waiting according to their county of residence, and other demographics.

HB 1222/SB 934: State Department of Education - Division of Rehabilitation Services - Funding and Staffing
Requires the Governor to include, effective July 1, 2023, a certain amount of state funding for the Division of Rehabilitation Services (DORS) to make sure the state receives federal matching funds. It also requires the Governor to include, in the 2025 annual budget bill, a funding amount that is sufficient to hire 74 more people to work at the DORS.
  • This is important because the state funding amount in the budget is not enough for the state to get the full federal match on DORS funds for which it is eligible, DORS has many unfilled staff vacancies, and people are waiting for the services they need to work.

HB 870: Division of Rehabilitation Services and Developmental Disabilities Administration - Memorandum of Understanding
Requires the Division of Rehabilitation Services (DORS) and the Developmental Disabilities Administration (DDA) to develop a memorandum of understanding (MOU) so they can safely and securely share data about the people they both serve. The data shared between DORS and DDA may include medical, psychological, school, and other related information.
  • DORS and DDA need to communicate and collaborate more so decisions about a person’s eligibility for services are easier to make. And, hopefully the transition between school and services under DORS or DDA is more seamless.
HB  546/SB 551: Education - Service Year Option Program - Establishment (Serving Every Region Through Vocational Exploration Act of 2023)

Creates a Service Year Option Program for a student, with a high school diploma or equivalent, to have an opportunity to work for an employer and be paid $15 per hour, for a certain number of hours per week. The program would provide $3000 in stipends to qualified employers who are a part of the program, and require participants to work at least 30 hours per week.

- The definition of “Program Participant” in the bill does not currently include students who are exiting high school with a Certificate of High School Completion. We understand the intent was to be as inclusive as possible, but to make sure all students are eligible for the Service Year Option Program, we recommend that the bill clarify that students who get a Certificate are eligible. Some people, with and without disabilities, may not be able to work 30 hours per week. So, we also recommend that there be a way to make an exception to the 30 hour requirement.

- The Service Year Option Program will help individuals with disabilities contribute to the economy, and advance their opportunities for success in employment after high school.

For additional information about the bills highlighted here, please contact:
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