



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland

Additional Priority Legislation

HB1445/SB 742: Maryland Medical Assistance Program and Developmental Disabilities Administration - Home- and Community-Based Services Eligibility Determinations (Maryland Protecting People With Disabilities Act)

Maryland is required to follow federal rules related to Medicaid applications, and decisions about eligibility and renewals of benefits. When rules are not followed and people with disabilities lose their Medicaid and waiver eligibility, they are at increased risk of institutionalization and loss of services.

What is happening now?

- Since January 2024, people have been losing their Medicaid and even when they reapply, some are being told they need to wait for a slot to open up before they can have their services again.
- Providers who support people to live their lives are unable to be paid for services and supports they have provided when the person loses Medicaid coverage. Even if a person's Medicaid is reinstated, there can be long delays.
- Families take on additional caregiving responsibilities when their loved one is disenrolled from Medicaid and/or their Medicaid Waiver and the person is unable to get services elsewhere.

What will this bill do?

Following the rules of the Federal government, this bill:

- Requires the State to follow timelines and provide help to prevent Medicaid and waiver services from ending, and if Medicaid coverage has ended, help to get Medicaid back.
- Says Maryland can't end a person's Medicaid when it does not do its part to keep the person continuously enrolled.
- Says Maryland must reinstate a person's eligibility if they were disenrolled for certain reasons.

HB1015/SB721: Developmental Disabilities Administration – Services – Eligibility for Recently Relocated Individuals (Ralph's Act)

Requires that people who received home and community-based developmental disabilities services in another state for at least 10 years, and are moving to live with a family member upon the death or other loss of a parent or other primary caregiver would be eligible to apply for and receive an eligibility decision for Home and Community based developmental disabilities services in Maryland, and would have a decision about their application within 30 days.

Why is this important?

- When a person loses a parent or other primary caregiver in another state, it is disruptive to the person. It is important that if their next closest caregiver is a Maryland resident, they have the opportunity to apply for services in Maryland.
- In these rare and urgent situations, a person should receive a decision on their application within 30 days.
- If eligible, the person would be put on the DDA Waiting List in the Crisis Resolution Category.

SB583: Developmental Disabilities Administration - Self-Directed Services Manual - Public Comment

Requires the Developmental Disabilities Administration (DDA) to provide notice to the public before making changes to the Self-Directed Services Manual, and requires DDA to allow at least 90 days for a public comment period before any changes can take effect.

Why is this important?

- DDA does not currently have to provide notice to the public for changes to policies, procedures, and guidance.
- There have been many changes to documents over the past few years. Often people with disabilities, families, providers, and employees do not have the opportunity to express how changes might impact services and supports, or enough time to adapt to changes.

What needs to change?

- Notice and opportunity to comment should be available for all changes to policy, procedures, and guidance regardless of the model a person uses to receive their DDA services.
 - People who use providers and people who self-direct services and supports have all been affected by the many changes to policy, procedures, guidance, and waivers that have been made by DDA over the past few years.
- Any proposed changes should also be described in plain language.