

# INTELLECTUAL AND DEVELOPMENTAL DISABILITIES COMMISSION ANNUAL REPORT - 2024

## Letter of Transmittal



Intellectual and Developmental Disabilities Commission  
August 31, 2024

*Via Letter of Transmittal Electronically*

Honorable Marc Elrich, Montgomery County Executive  
Honorable Andrew Friedson, President, Montgomery County Council  
James C. Bridgers, Jr., Ph.D., MBA, Director, Montgomery County Department of Health and Human Services

The Intellectual and Developmental Disabilities Commission (IDDC) has completed its first year as a newly established body in Montgomery County. During this period, the Commission addressed a range of significant issues while establishing its operational framework. Below is a summary of our activities:

**Ad Hoc Subcommittees:** Commissioners identified critical areas of unmet need and formed Ad Hoc Subcommittees to address these core issues. The subcommittees focused on:

- Direct Support Professional Workforce Stability
- Special Education and Activities
- Community Engagement
- Employment
- Hospitalization and Healthcare

**Advocacy for Service Providers:** The Commission advocated for an increase in the county supplement for service providers to better meet the needs of the growing IDD population.

**Public Outreach:** In collaboration with the Transition Working Group, the Commission successfully participated in the Transitioning Youth Resource Fair, engaging with the community and raising awareness.

**County Legislative Advocacy:** The IDDC provided crucial input and testimony on Bill 33-23, which proposed a voluntary registry for police calls involving individuals with IDD. The IDDC submitted written testimony to the Maryland Senate Finance Committee and the Montgomery County State Delegation.

**State-Level Advocacy:** The Commission actively advocated at the state level on several key issues monitored relevant new state policies and regulations, and proposed new statutes. The IDDC transmitted written testimony to the Maryland Senate Finance Committee and to the Montgomery County State Delegation in support of Senate Bill 790 2024 regarding the Maryland Medical Assistance Employed Individuals with Disabilities Program (EID). This program would enhance the opportunity pathway for some employed individuals with disabilities to retain needed Medicaid benefits.

**Engagement with DDA Leadership:** We engaged with senior leadership of the Developmental Disabilities Administration (DDA) to address issues related to "acuity" and ensure that the needs of individuals with IDD and intense support needs are adequately met.

**Transitioning Youth:** The IDDC focused on improving services for transitioning youth in Montgomery County and is exploring strategies to enhance service delivery.

**Workforce Development:** Recognizing the need to support and sustain the Direct Support Professional (DSP) workforce, our DSP Workforce Ad Hoc Subcommittee developed an innovative pilot project and plan to address these concerns through stakeholder engagement.

**Special Education:** The Special Education Ad Hoc Subcommittee actively engaged with Montgomery County Public Schools (MCPS) and the community to address serious concerns related to special education.

**Reaching Underserved Communities:** The IDDC highlighted the importance of outreach to underserved subcommunities and working towards equity in service delivery.

Thank you for your continued support and collaboration.

*michael greenberg*

Michael D. Greenberg, MD  
Chair

*John Whittle*

John Whittle  
Vice-Chair

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**Commission Officers**  
 (Effective September 1, 2024)  
**Steve Riley, Chair**  
**Jamie Doyle, Vice-Chair**  
**Natori Green, Secretary**

# About the Commission

## HISTORY

The Intellectual and Developmental Disabilities Commission was established by County legislation on March 28, 2023 to advise the County Executive and County Council on how to better coordinate services for individuals with intellectual and developmental disabilities (IDD) and their families.

## POLICY STATEMENT

“Montgomery County is committed to creating an inclusive community for all people with Intellectual and Development Disabilities (IDD), so 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.”

## MISSION

As enacted, the Commission will be focusing on promoting direct communication among families, support staff, private and public organizations and the public about programs and services for individuals with IDD. The Commission will also provide educational programs, identify current gaps in services and provide advice and recommendations on best practices to the County and the County Executive. The Commission may advocate at the local, state, and federal levels to advance the needs of individuals with IDD.

## MEMBERSHIP

The Commission is composed of 19 voting members and 6 non-voting members who serve in a volunteer capacity. Members are appointed by the County Executive, subject to County Council confirmation.

Voting members include:

- ▶ 2 individuals with IDD
- ▶ 9 family members, guardians, or support staff of individuals with IDD
- ▶ 7 individuals representing service providers or advocacy organizations that support individuals with IDD
- ▶ 1 member of the Commission on People with Disabilities

Non-voting members are designees of the following agencies:

- ▶ Department of Health and Human Services
- ▶ Department of Recreation
- ▶ Montgomery County Public Schools
- ▶ Montgomery College
- ▶ WorkSource Montgomery
- ▶ Maryland Developmental Disabilities Administration

## MEETINGS

All Commission and Committee meetings are open to the public. The Commission welcomes visitors to join us as we serve the County and its residents. Meetings are subject to change without advance notice. Please call to confirm day and time of meetings and to request any special accommodations. As possible, we adjust meeting dates in order to accommodate days of major religious observances. You can view the Commission meeting minutes or check meeting schedules times online at: [www.montgomerycountymd.gov/iddc](http://www.montgomerycountymd.gov/iddc).

### MEETING SCHEDULE FOR 2024 - 2025

#### **Full Commission Meeting**

3rd Thursday of the month,  
except for July and August

Meetings held virtually via Zoom or in-person as noted  
5 p.m. - 6 p.m.

#### **Subcommittees**

Meet, as needed, virtually via Zoom

## COMMISSION STRUCTURE

The Commission operates through a structure that is re-evaluated annually to respond to changing needs.

The work of the Commission is done by Commission members and interested persons from the community. In addition, coordinators are assigned to take lead responsibility for public relations and legislation. The Nominating and Selection Committees, required for administration purposes, were also established.

*The Commission encourages that all residents with disabilities and their families communicate with their elected officials about their needs for programs and services. Go to the Office of Governmental Relations website for information on how to contact your elected officials: [www.montgomerycountymd.gov/OIR](http://www.montgomerycountymd.gov/OIR).*

# Intellectual and Developmental Disabilities Commission Membership List

*Last Updated: January 2024*

**Chair:** Michael D. Greenberg, MD • **Vice-Chair:** John Whittle • **Secretary:** Jake Didinsky

## Voting Members



**Rick Callahan**  
*Provider/Agency Representative*  
**(Compass Inc.)**  
(New Position - Partial Term 8/31/2024)



**Jillian Copeland**  
*Family/Guardian Representative*  
(New Position - First Term 8/31/2026)



**Tracy Craig**  
*Family/Guardian Representative*  
(New Position - Partial Term 8/31/2025)



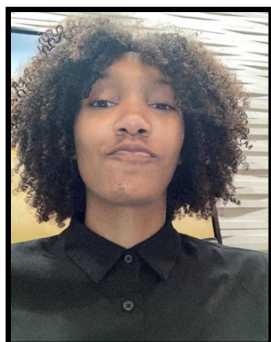
**Jake Didinsky**  
*Person With IDD Representative*  
(New Position - Partial Term 8/31/2024)



**Jamie Doyle**  
*Family/Guardian Representative*  
(New Position - Partial Term 8/31/2025)



**David Ervin**  
*Provider/Agency Representative*  
**(Makom)**  
(New Position - Partial Term 8/31/2025)



**Natori Green**  
*Person With IDD Representative*  
(New Position - Partial Term 8/31/2025)



**Michael D. Greenberg, MD**  
*Family/Guardian Representative*  
(New Position - Partial Term 8/31/2024)



**Lori Mitchell-Keller**  
*Family/Guardian Representative*  
(New Position - Partial Term 8/31/2024)

# Intellectual and Developmental Disabilities Commission Membership List

*Last Updated: January 2024*

## Voting Members



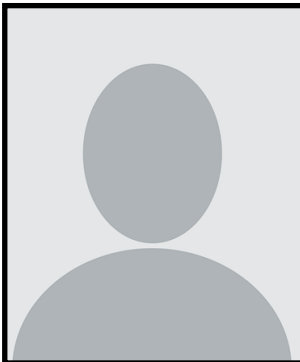
**Lisa Lorraine**  
*Provider/Agency Representative*  
**(Jubilee)**  
(New Position - Partial Term 8/31/2026)



**Jenn Lynn**  
*Family/Guardian Representative*  
(New Position – Partial Term 8/31/2024)



**Stephen Riley**  
*Provider/Agency Representative*  
**(Potomac Community Resources, Inc.)**  
(New Position - Partial Term 8/31/2025)



**Eric Salzano**  
*Provider/Agency Representative*  
**(Community Services for Autistic  
Children and Adults)**



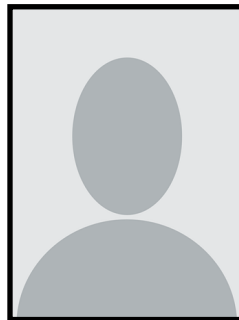
**Carmen Smith**  
*Family/Guardian Representative*  
(New Position - Partial Term 8/31/2025)



**Smil Soria**  
*Family/Guardian Representative*  
(New Position - First Term 8/31/2026)



**Yvonne Vanlowe**  
*Family/Guardian Representative*  
(New Position - First Term 8/31/2026)



**John Whittle**  
*Commission on People with Disabilities  
Liaison*  
(New Position - First Term 8/31/2026)

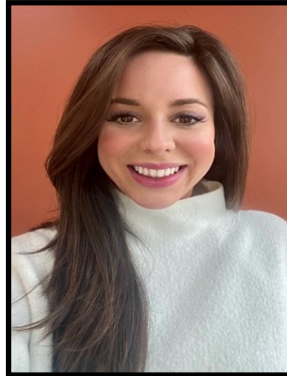


**Najla Wortham**  
*Provider/Agency Representative*  
**(Rock Creek Foundation)**  
(New Position - Partial Term 8/31/2024)

# Intellectual and Developmental Disabilities Commission Membership List

*Last Updated: January 2024*

## Voting Members



**Carmen Zahra**

*Provider/Agency Representative  
(The College Experience)  
(New Position - Partial Term 8/31/2024)*

## Non-Voting Members

*(no term expiration date)*



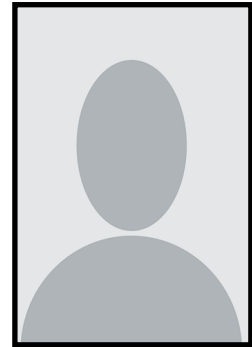
**Onesta Duke**

*Maryland Developmental  
Disabilities Administration*



**Justin Hack**

*WorkSource Montgomery*



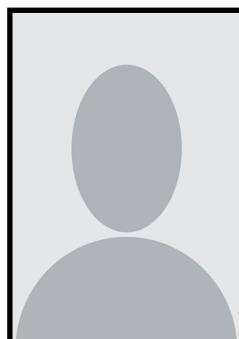
**Dorne Hill**

*Montgomery County Department of  
Health and Human Services*



**Karla Nabors**

*Montgomery College*



**Sharon Norcio**

*Montgomery County  
Department of Recreation*



**Margie Parrott**

*Montgomery County Public Schools*

# Establishment of the Intellectual and Developmental Disabilities Commission

**For Immediate Release: Tuesday, March 28, 2023**

*From the Office of Councilmember Gabe Albornoz*

Today the Montgomery County Council enacted [legislation](#) to establish an Intellectual and Developmental Disabilities Commission. The legislation is supported by the full Council, the Executive Branch, as well as the Commission on People with Disabilities. The purpose of this bill is to better coordinate services for individuals with intellectual and developmental disabilities (IDD) and their families.

“Addressing the complex system navigation needs, gaps in services, and state and County challenges impacts more than 40,000 people of all ages who have an intellectual and developmental disability in our County. An independent commission that will promote communication with families, advocates and providers is critical,” said Councilmember Gabe Albornoz, chair of the Health and Human Services Committee.

“I applaud the unanimous vote of the County Council today to approve the Intellectual and Developmental Disabilities Commission. I greatly appreciate the leadership of Councilmember Albornoz and was pleased to work with him on this important legislation. As a parent of an adult foster child with IDD, I know that people in the community with direct experiences can help us. We will begin the task of recruitment for the members of the commission and look forward to the commission beginning the tasks of identifying and advocating for the unique needs of people with IDD and fostering dialogue with families and caregivers,” said County Executive Marc Elrich.

As enacted, the new IDD Commission includes 24 members, including individuals from the intellectual and developmental disability community, service providers and service agencies, and the Commission on People with Disabilities, who will be focusing on promoting direct communication among families, support staff, private and public organizations and the public about programs and services for individuals with intellectual and developmental disabilities. The commission will also provide educational programs, identify current gaps in services and provide advice and recommendations on best practices to the County and the County Executive.

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The Intellectual and Developmental Disabilities Commission held its inaugural meeting on September 14, featuring guest speakers County Executive Marc Elrich and Councilmember Gabe Albornoz. This introductory and orientation session marked the beginning of the Commission's efforts to better serve the community.

# Adhoc Subcommittees

## 1. Employment Subcommittee

**Co. Facilitator:** Justin Hack and Smil Soria

**Commission Member(s):** Yvonne Vanlowe, Jake Didinsky

The Employment Subcommittee aims to address and improve employment opportunities and support systems for individuals with intellectual and developmental disabilities (IDD). Some of the responsibilities are recommending policies or guidelines to enhance employment prospects for individuals with IDD; Developing training programs for employers and employees to foster a more inclusive work environment; and Advising on the allocation of resources and funding to support employment initiatives for individuals with IDD.

## 2. Workforce Development Subcommittee

**Co. Facilitators:** Rick Callahan, David Ervin

**Commission Member(s):** Michael D. Greenberg, MD

The Workforce Development group focuses on developing solutions to both the current direct support professional (DSP) workforce crisis and on the need to create robust and lasting career growth opportunities for current and future DSPs. Our work centers on conceptualizing opportunities for ‘upward mobility’, wage growth to a living wage appropriate to Montgomery County and other high-cost areas in the DMV, and professional certification of DSPs that is portable and recognized by any/all Maryland providers of intellectual and/or developmental disabilities supports.

## 3. Promoting Quality Services Subcommittee

**Lead Facilitator:** Steve Riley

**Commission Member(s):** Lisa Lorraine, Tracy Craig, Jillian Copeland

This group aims to gather comprehensive information to better understand the current service landscape for individuals with IDD. Its objectives include: 1) Creating a list of service provider organizations funded by the Maryland DDA that serve county residents. 2) Surveying providers to collect data on the types of services offered, direct support professional staffing vacancies, compensation, and benefits. 3) Compiling a list of organizations, including county DHHS, that offer Coordination of Community Services (CCS). 4) Cataloging programs and resources available in Montgomery County public schools. 5) Identifying programs and services that connect individuals with IDD to service providers. 6) Listing Montgomery County non-profits that offer programs and services for individuals with IDD. The focus will be on identifying unmet needs and service gaps, such as in housing, employment, transition, and education, to inform current and future Commission Ad Hoc Subcommittees in setting priorities and determining needed support.

## 4. Special Education Subcommittee

**Lead Facilitator:** Natori Green

**Commission Member(s):** Yvonne Vanlowe, Tracy Craig, Jamie Doyle, Carmen Smith, Michael D. Greenberg, MD

This group is dedicated to addressing education and related services for individuals with Intellectual and Developmental Disabilities (IDD) in both public and private schools. It will examine funding sources, resources, programming, staffing, and transition issues for youth. The group will also focus on enhancing education and awareness for families about available services and developing a clear “roadmap” to guide individuals and families through each stage of the educational process, from initial enrollment to transition out of the school system. Additionally, the group will review related services and programs, including community and recreational opportunities for school-aged children.

## 5. Developmental Disability Policy & Legislation Subcommittee

**Lead Facilitator:** John Whittle

**Commission Member(s):** Michael D. Greenberg, MD, Natori Green, Jamie Doyle, Yvonne Vanlowe, Tracy Craig, Lori Mitchell-Keller, Carmen Smith, Carmen Zahra

This group will concentrate on state and county policies and legislation affecting individuals with developmental disabilities. Emphasis will be placed on collaborating with the Developmental Disabilities Administration (DDA) and other relevant agencies that manage services and funding for individuals with IDD. The group will work closely with other workgroups and Commissioners to advance necessary policy changes and legislative initiatives.



# Adhoc Subcommittees Continued

## 6. Intellectual Developmental Disability Hospitalization and Dual Diagnosis

**Co. Facilitators:** Rick Callahan, Eric Salzano

**Commission Member(s):** Najla Wortham, Jenn Lynn

The IDD Hospitalization/Dual Diagnosis focus has been a critical initiative aimed at addressing the needs of individuals with IDD as well as those dually diagnosed.

The First Initiative: To provide resources and educational opportunities to local hospital personnel to assure that people with co-occurring disabilities receive the necessary supports and services during an emergency visit.

The Second Initiative: We aim to facilitate access to community-based Behavioral/Mental Health (PRP) services concurrently with DDA waiver services for individuals with co-occurring disabilities.

Accomplishment: While we initially concentrated on the first initiative, it became clear that the second initiative is contingent upon policy changes at the state level. Recent changes in leadership have hindered further pursuit of this initiative. However, the committee strongly believes that this goal should remain a priority for future discussions and actions.

We look forward to continuing our work in these areas and appreciate the ongoing support from all stakeholders involved.

## 7. Community Engagement Subcommittee

**Lead Facilitator:** Jake Didinsky

**Commission Member(s):** Karla Nabors, Sharon Norcio and Lisa Lorraine

This group has a primary goal of engaging and reaching out to the public to increase awareness, education and promote programs and venues that promote the welfare of those with I/DD.

# DDA Policy on Personal Supports

The IDDC clarified the Developmental Disabilities Administration (DDA) policy on providing staffing support for individuals hospitalized during an acute stay and explained how to demonstrate the need for and request such support. The DDA has periodically revised its policy on funding personal care supports in hospital settings, including eligibility criteria, standards, and processes. Recently, DDA established a procedure to provide 1:1 behavior support services in hospitals. To access these services, individuals must:

1. Be enrolled in Medicaid.
2. Have an existing DDA-funded provider.

In this process:

- The provider and the Coordinator of Community Services (CCS) collaborate to submit a revised Personal Care Plan (PCP) that specifies the need for support related to behavioral, communication, or personal care.
- Compliance with technical aspects of the PCP and billing is essential. The provider, CCS, and DDA regional offices are familiar with these requirements.
- Once the revised PCP is approved, the provider can bill DDA.
- There are expedited emergency PCP processes available.

It is important to note that this policy does not apply to all health care settings, such as psychiatric hospitals. In these cases, DDA assists in arranging 1:1 supports, with varying standards for documentation, justification, and administrative requirements.

For more details on personal supports in acute hospitals, refer to the DDA Policy on Personal Supports <https://dhmh.policystat.com/policy/13587313/latest>

Additionally, the DDA 2023 Community Pathways Waiver includes relevant provisions on page 101:

- Direct Support Professional services may be provided in an acute care hospital to support the participant's personal, behavioral, and communication needs not addressed by the hospital. These services must:
  1. Be specified in the individual's person-centered service plan.
  2. Address needs not covered by the hospital.
  3. Not replace services the hospital is required to provide under federal or state law or other applicable requirements.
  4. Facilitate smooth transitions between the hospital and the home or community-based setting while preserving the participant's functional abilities.

There is similar language in the DDA 2023 Community Pathways Waiver, including this example for Personal Supports on page 101 of that waiver:

***P. Direct Support Professional services may be provided in an acute care hospital for the purposes of supporting the participant's personal, behavioral, and communication supports not otherwise provided in that setting. Services may not be duplicative of hospital or short-term institutional services.***

1. ***The State has mechanisms in place to prevent duplicate billing for both institutional and home and community based services.***
2. ***These necessary waiver services:***
  - a. ***Must be identified in the individual's person-centered service plan;***
  - b. ***Must be provided the meet the individual's needs and are not covered in such settings;***
  - c. ***Should not substitute for services that the setting is obligated to provide through its condition of participation under federal or State law, under another applicable requirement; and***
  - d. ***Should be designed to ensure smooth transitions between the setting and the home community-based setting and preserves the participant's functional abilities.***

# Testimony on Bill 33-23: Voluntary Registry for Emergency 911 Calls

January 20, 2024

Dear Ms. Khandikile Sokoni, Legislative Attorney, County Council

Thank you for the opportunity to provide input on Montgomery County Bill 33-23 Voluntary Registry for Emergency 911 Calls. The new Montgomery County Intellectual and Developmental Disabilities Commission (IDDC) has carefully reviewed and discussed the Bill. The request by the Joint Committees to the IDDC was to consider four specific questions and amendments and provide any other recommendations the IDDC Commission felt were important.

As part of the IDDC work on this matter, the Commissioners discussed various aspects of the Bill during its October and November 2023 meetings to collect input and questions from Commissioners. Additionally, a survey was sent out to all Commissioners to further clarify remaining questions and to afford additional opportunity for input. Numerous supporting documents and publications were available and reviewed<sup>1</sup>.

During the October 2023 IDDC meeting, Legislative Attorney Sokoni presented an overview of Bill 33-23. Both officer Reyes and Councilmember Luedtke participated both providing input and answering questions from the Commission. The Commission reviewed in its entirety the Bill 33-23, Staff package and all associated reports and public testimony, the full proceedings of the September 18, 2023, Joint Committees work session, and answers to Commissioner questions provided by Councilmember Luedtke's office.

The IDDC remains available for any further clarifications or follow-up the Joint Committees may desire. The IDDC is also available to provide input on any revisions to the Bill that are considered, or on operational aspects of the program. If the Bill is passed and program implemented, the IDDC requests a collaborative review with the Council and MCPD after the first year. We are grateful to Councilperson Dawn Luedtke and her team for their work in further support people with disabilities.

The IDDC appreciates the open and shared process afforded by the Joint Committees and MCPD on Bill 33-23 and looks forward to future opportunities to partner in benefit to people with disabilities.

*michael greenberg*

Michael D. Greenberg, MD  
Chair, IDDC Commission

# Questions and Proposed Amendments for Bill 33-23: Voluntary Registry for Emergency 911 Calls

There was extensive discussion by the full Commission on Bill 33-23 as a whole and with respect to the Joint Committees request for specific input on key questions and amendments. The IDDC did not formally vote on the questions listed but rather we are giving generalized feedback provided by commission members gathered through meetings, discussions and electronic communications.

It was strongly felt that robust community outreach, including BiPOC communities, was important to ensure equity and afford all individuals with IDD the opportunity to benefit if the Bill were passed. Enhancing police training on race and ethnicity sensitivity and ensuring additional widespread training on the Behaviors detailed in section 35-12 (b) 1 was emphasized collectively by the commissioners.

It was suggested that there be a vigorous program to include publicly available data collection metrics surrounding socioeconomic and race and ethnicity status. Additionally, metrics that look at outcomes stratified by those who register versus those who do not was suggested. A number of commissioners proposed that the Behavior categories identified in Bill Section 3512 (b) 1 should be re-written in person-first language with inclusion of a broader range of behaviors, to include those that better captured those with behavioral challenges or complex medical needs.

There was concern with respect to the ambiguity surrounding the fiscal impact of Bill 33-23. The formal fiscal impact study cited a 5-year cost of \$1.3 million. This figure differed from the presentation to the IDD Commission where the speakers felt it would be less. Some commissioners suggested clarifying with more precision the projected costs. There were some who felt that the same amount of money would have a bigger impact if used for other programs for those with IDD.

The following questions and proposed amendments were presented to the IDD Commission for input. The following summarizes the overall points raised collectively by the commissioners.

## **Question #1**

*Whether to recommend inclusion of a requirement for annual revalidation of registered information?*

*Current Proposed Amendment:*

*An amendment to state that the information provided by registrants would be automatically purged annually unless the registrant renews the registration.*

## **IDD Commission Input:**

Commissioners were divided on this issue. While some agreed with calling for annual revalidation others were opposed and felt this was not needed. There as a suggestion by to extend the renewal period from one year to two years. Other suggestions included ensuring formal notification to registrants before renewal. Some members felt that revalidation requirements could be guided by the age of the individual. There were questions raised regarding the counties capacity to ensure an effective renewal process.

## **Question #2**

*Whether to recommend excluding public guardians from being able to register the people they serve as guardians into the registry*

*Current Proposed Amendment*

*An amendment requested by Disability Rights Maryland that provides that for purposes of this section, guardian does not include a court-appointed public guardian.*

## **IDD Commission Input**

While there were some differing opinions the prevalent opinion was that the guardian should not include a court appointed public guardian as proposed by DRM.

# Questions and Proposed Amendments for Bill 33-23: Voluntary Registry for Emergency 911 Calls Continued

## Question #3

*Whether to recommend that the Council require an annual report from MCPD on program participation by geography and metrics measuring improvement in police interactions to monitor the effectiveness of the registry program in advancing RESJ as recommended in OLO's RESJ Impact Statement.*

There was a general opinion among commissioners in support of this recommendation.

*Current Proposed Amendment:*

*An amendment to line 30 of Bill 33-22 as introduced to replace the term "Mental health disability" with the term Behavioral health condition."*

## IDD Commission

There was significant discussion on this point with many commissioners pointing out that the two terms have different meanings. There was a suggestion that mental health "condition" replace "disability." The primary recommendation was that the amendment be modified to include both terms.

*michael greenberg*

Michael D. Greenberg, MD  
Chair, IDD Commission

# Senate Bill 790 - Maryland Medical Assistance Program - Employed Individuals with Disabilities

March 26, 2024

## **Members of the Montgomery County State Delegate**

*House Office Building, 6 Bladen St. (from College Ave.), Annapolis, Maryland*

## **Members of the Senate Finance Committee**

*Miller Senate Office Building, 11 Bladen St., Annapolis, Maryland*

Re: Senate 790, Maryland Medical Assistance Program – Employed Individuals with Disabilities. Position: Support with Recommendations.

Dear Members of the Montgomery County State Delegate and Members of the Senate Finance Committee,

The Montgomery County Intellectual and Developmental Disabilities Commission (IDDC) consists of people with developmental disabilities, family members, service providers, and advocacy organizations. Prescribed duties include advocating at the state level to advance the needs of people with IDD.

SB790 is vital to the state and county public policy to promote the employment of people with disabilities. Significant state and local resources are allocated every year to support people to become employed, which then puts the employed person at risk of losing their Medicaid health insurance as well as Medicaid home and community-based supports (HCBS), based on Medicaid income test requirements. The Employed Individuals with Disabilities program (EID) provides an effective way to achieve what people with disabilities need, namely, employment, health insurance, and community-based services. Indeed, the Maryland Department of Health, Maryland's Developmental Disabilities Administration, has established Maryland as an Employment First state for people with disabilities.

SB790 removes the age cap so that people 65 years and older are eligible for EID and reduces the premiums paid to enroll in the program by ending the marriage penalty.

The EID program is under-utilized, complicated, and not well known across the state. Access and the application process is challenging and long.

More initiatives for public awareness, application assistance, public and equity outreach are essential to meet the policy goals of Employment First for people with disabilities.

Therefore, the IDDC recommends:

1. Establish provisions of robust public awareness and public outreach in keeping with the State Employment First mission as well as equity.
2. That local and state agencies have EID-trained staff to assist people to understand and apply for the EID program.
3. That the EID State-Based Coalition of disability advocates includes an appropriate number of people with disabilities.

Thank you for your consideration. The Montgomery County Intellectual and Developmental Disabilities Commission strongly supports SB790 and respectfully request the Maryland General Assembly Elected Officials vote in favor of the Bill.

Sincerely,

*michael greenberg*

Michael D. Greenberg, MD  
Chair

*John Whittle*

John Whittle  
Vice-Chair

# Letter to Maryland Department of Health Regarding the Eligibility Determination Process

February 27, 2024

Laura Herrera Scott, M.D., Secretary of Health  
Maryland Department of Health Herbert R. O'Connor State Office Building  
201 West Preston Street  
Baltimore, Maryland 21201

Dear Dr. Herrera Scott:

I am writing on behalf of the Montgomery County Intellectual and Developmental Disabilities Commission to highlight systemic issues we have identified in the Maryland Department of Health's Eligibility Redetermination Process and offer recommendations to address them. These issues require immediate action as they are significantly impacting individuals with intellectual and/or developmental disabilities in Montgomery County and across Maryland, particularly their access to uninterrupted essential services, including but not limited to routine and emergency medical care, including prescription drugs, long-term services and supports, and transportation.

We believe that collaborative efforts between the Medicaid Eligibility Determination Division, the Developmental Disabilities Administration, and the Coordinators of Community Services are essential to expedite immediate actions to resolve these issues and improve outcomes for Marylanders with disabilities. Outlined below are recommended immediate next steps that we believe will help mitigate the risks to Home and Community Based Services and medical assistance eligibility challenges faced by individuals with disabilities in accessing necessary services:

1. Provide DDA-certified Provider Agencies with a List of Redetermination Dates:
  - Furnish agencies (including Coordinators of Community Services) with a comprehensive list of redetermination dates for all individuals supported. Medicaid eligibility dates showing in *LTSSMaryland* are not consistently accurate and cannot be relied upon by provider agencies willing to facilitate the redetermination process. This listing of current and verified redetermination dates will facilitate accurate information and enable providers to collaborate with Coordinators of Community Services (CCS) agencies on the submission of redetermination packets, thereby reducing waiver ineligibility and the risk of individuals losing healthcare and long-term services and supports.
2. Pause the Redetermination Process:
  - Temporarily pause the redetermination process until such time as current challenges to the system are resolved. This will ensure all individuals remain eligible for healthcare and long-term services and supports until a comprehensive resolution is determined.
3. Extend Appeals Process Timeline:
  - Extend the appeals process timeline from 10 to 60 days to accommodate people with IDD, their provider agencies, and family members who may not receive timely notification of redeterminations. This extension will enable them to submit appeals within a reasonable timeframe and, critically, will allow the Medicaid Eligibility Determination Division to catch up with processing a growing number of redetermination submissions, thereby increasing the likelihood of maintaining the individual's waiver eligibility without service interruption.
4. Continue Retroactive Payment Position:
  - Maintain the retroactive payment position to demonstrate a commitment to providers by ensuring reimbursement for services rendered. This will encourage providers to continue delivering services and support to individuals, ensuring uninterrupted access to necessary resources.

# Letter to Maryland Department of Health Regarding the Eligibility Determination Process Continued

In addition to these immediate actions, we propose the following future action steps:

1. Ensure Accuracy of LTSS*Maryland* Information:

- Verify the accuracy of redetermination information in LTSS*Maryland* to prevent inaccuracies and discrepancies.
- Provide agencies with the ability to access the redetermination applications in LTSS*Maryland*. This enhancement will allow providers to collaborate with CCS agencies in accurately submitting documentation and/or facilitate the retrieval of information from family members or caregivers.

2. Establish a Process for Updating Authorized Representatives:

- Implement a process within CCS agencies to inform the authorized representative when there are changes in staff within CCS agencies.

3. Build Capacity Within EDD for Timely Processing:

- Enhance capacity within MDH's Eligibility Determination Department to ensure timely processing of redetermination packets and increase responsiveness as stakeholders work to troubleshoot issues.

In the immediate term, we believe these steps are essential to assuring no interruption or losses of services for Marylanders with intellectual and/or developmental disabilities. We further believe that by implementing these proposed next steps and fostering collaboration between agencies and stakeholders, we can address the systemic issues in the Eligibility Redetermination Process and improve outcomes for individuals with disabilities in Maryland.

Thank you for your attention to this matter, and we look forward to your response and to working together toward positive change.

Sincerely,



Michael D. Greenberg, M.D., Chair  
Montgomery County Intellectual & Developmental Disabilities Commission

cc: Marlana R. Hutchinson, Deputy Secretary DDA  
Ryan Moran, Deputy Secretary Health Care Financing & Medicaid Director



# Special Education Subcommittee Questions Regarding Darnestown Elementary School Autism Learning Center

**The IDD Commission opposes MCPS current plan to dismantle the Darnestown Elementary School Autism Education program. Following are some key questions we hope can be addressed in upcoming meetings with MCPS.**

1) Both Kristin Mink and Will Jawando stated they were in disbelief about the decision to reduce the paraeducators by half with only five students leaving the Darnestown Elementary School Autism Learning Center (DES ALC) program. The FY 2025 proposed MCPS budget sent to the Board of Education (BOE) did not cite the reduction of paraeducators at DES LC or the conversion of the DES ALC to a traditional Learning Center (LC). Instead, the budget for Elementary Learning Centers showed an \$101,771 budget increase for 2.5 full-time employees (FTEs), classified as Special Education Paraeducators. The budget narrative went on to state that, “instruction to students with autism at Darnestown ALC continues to be provided in alignment with evidence-based practices that have proven to be highly effective for student with autism” (Appendix D-12 page 472 l).

Diana Wyles stated that the DES Autism Learning Center was a well-run program, and that she reviewed student progress and conducted assessments to determine that support staff could be reduced.

- What type of analysis, assessment, and/or study has been conducted to support the decision to reduce or eliminate paraprofessionals as cited by Diana Wyles and can those findings be made public?
- What staff, teachers, and specialists were consulted to make the determination that services for individual students could be implemented with fidelity (ex. the Autism Learning Center teachers, paraeducators, Central Office, etc.)? This is important since Diana Wyles stated that student need drove this decision, which implies that BOE has made the determination that these children—collectively—were receiving too much support.

2) Gabe Albornoz acknowledged that the Darnestown Elementary School Autism Learning Center has been a lifeline for many families, and posed the key question that went unanswered by Dr. Felder, Diana Wyles, and Karla Silvestre: “*How do we raise all boats here and create more Darnestown programs and what does that look like?*” Kristin Mink also underscored the importance of this question. The BOE representatives only stated that there were communication issues with relaying the decision to end the DES Autism Learning Program but failed to answer the question directly and address the expressed need.

- Can MCPS please provide a detailed response to the question posed by CM Albornoz and elaborated on by CM Mink regarding creating more vs. eliminating Darnestown programs and what current and/or future program expansion efforts are being considered.
- Are the same best practices from DES Autism Learning Center in place at the other centers? If not, why aren't changes being made to put these best practices in place?

3) In developing the DES Autism Learning Center model, MCPS has already demonstrated that they believe this model provides Free Appropriate Public Education (FAPE) to a designated subset of students.

- Now that they are weakening the support, how can they contend that the new program still complies with their legal obligation to provide an appropriate education for this subset?
- FAPE is a concept that is not specifically written into any student's Individualized Educational Plan (IEP), how can they ensure that every student's IEP will be met even when the support needed to meet the goals are being removed?

## Special Education Subcommittee Questions Regarding Darnestown Elem. School Autism Learning Center Continued

- 4) Diana Wyles stated that they have begun developing professional learning that will begin over the summer. As stated in Question 1, the FY 2025 MCPS budget sent to BOE for approval stated, “The instruction to students with autism at Darnestown ALC continues to be provided in alignment with evidence-based practices that have proven to be highly effective for student with autism.”
- Is the BOE initiating a non-evidence based program?
  - What evidence-based practices are part of the professional learning and who is developing them?
  - What is the length of the 2024 professional learning and who is receiving the professional learning training?
  - Why are the changes at DES ALC being made before a finalized curriculum or training program in place?
- 5) In addition to changes slated for the DES Autism Learning Center, paraeducators from two other autism programs—secondary Autism Resource Services (ARS) and Autism Connections (formerly known as the “Asperger’s program”)—were also involuntarily transferred and placed in new locations prior to spring break of this year.
- Can you share any correspondence sent to staff and impacted families in advance of this decision?
  - Were assessments of data and need also conducted for these programs to justify the reduction in paraeducators?
- 6) MCPS has clearly outlined in its own presentations the key features that distinguish the DES Autism Learning Center model from the traditional learning centers. These are shown below.
- Can MCPS outline if each of these key best practices are currently in place and provide details to the public of how they have been implemented?
  - Has MCPS considered replicating the identical DES Autism Learning Center model at several other centers instead of an overall reduction of services, offering less intensive services at all centers?
- 7) Traditional LC Staffing - 1 teacher : 1 paraeducators : 13 to 16 students  
Darnestown Autism LC Staffing - 1 teachers: 2 paraeducators : 9 students

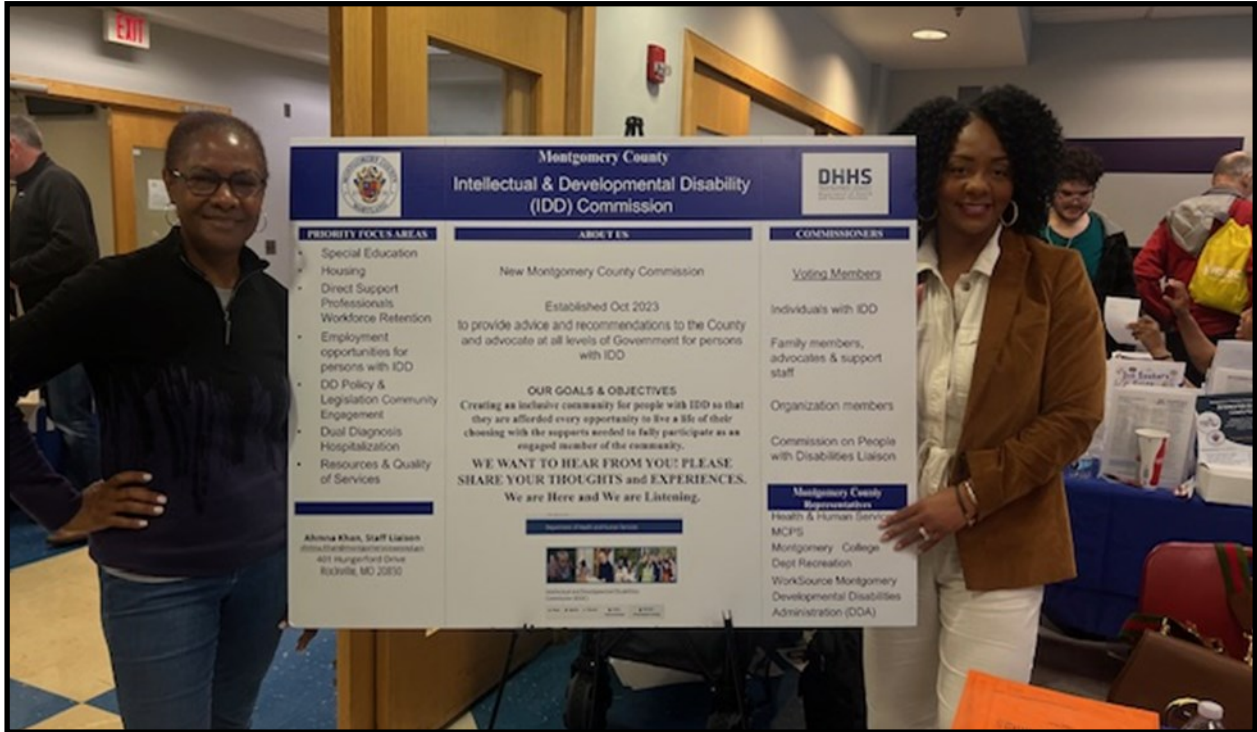
IDDC recommends this approach, which could potentially ensure identical services, work towards ensuring equity, and likely is more budget friendly and practical then working with all the other learning centers.

# Developmental Disability Proclamation



*On March 12, 2024, Councilmember Gabe Alborno and County Executive Marc Elrich issued a proclamation designating March as Developmental Disabilities Awareness Month. Representatives from the Intellectual and Developmental Disabilities Commission present included Vice Chair/Commissioner John Whittle and Dr. Patrice McGhee, Chief of Aging and Disability Services.*

# Community Outreach



*Commissioners Yvonne Vanlowe and Najla Wortham at the Joan Karasik Resource Fair for teens and adults with disabilities*

On Sunday, April 7th, 2024, several members of the Intellectual and Developmental Disabilities Commission participated in the Joan Karasik Resource Fair for teens and adults with disabilities at Montgomery College. Chair Michael D. Greenberg, MD, created a poster to highlight the new Commission's mission, goals, and priorities. Over 60 government agencies, non-profit organizations, and companies were in attendance. The commissioners hosted a table, engaging with numerous community members to discuss issues relevant to individuals with intellectual and developmental disabilities (IDD).

# Autism Awareness Month Proclamation



*On April 9<sup>th</sup> 2024, Councilmember Jawando County Executive Marc Elrich presented the autism proclamation to commemorate Autism Awareness month. Intellectual and Developmental Disability Commissioner in-person attendance include Jake Didinsky (Secretary) and John Whittle (Vice Chair). Chair Michael D. Greenberg, MD, was in attendance via zoom.*

# Enabling Legislation

## ARTICLE X. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES COMMISSION.

### Sec. 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. (2023 L.M.C., ch. 13, §1.)

### Sec. 24-72. Commission established.

There is an Intellectual and Developmental Disabilities Commission. (2023 L.M.C., ch. 13, §1.)

## Enabling Legislation Continued

### Sec. 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 support 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. (2023 L.M.C., ch. 13, §1.)

### Sec. 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;
- (g) work with key organizations at the county and state level to best advance the needs of County residents with IDD; and
- (h) advocate at the local, state, and federal levels to advance the needs of individuals with IDD. (2023 L.M.C., ch. 13, §1.)

## Enabling Legislation Continued

### **Sec. 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. (2023 L.M.C., ch. 13 , §1.)

### **Sec. 24-76. Staff support.**

The Department of Health and Human Services must provide the staff support, including administrative and programmatic support, necessary for the Commission to perform its duties. (2023 L.M.C., ch. 13, §1.)



# Montgomery County Public Schools - Data

## Number of Montgomery County Public School Students with Disabilities Ages 3 - 21 Receiving Special Education Services

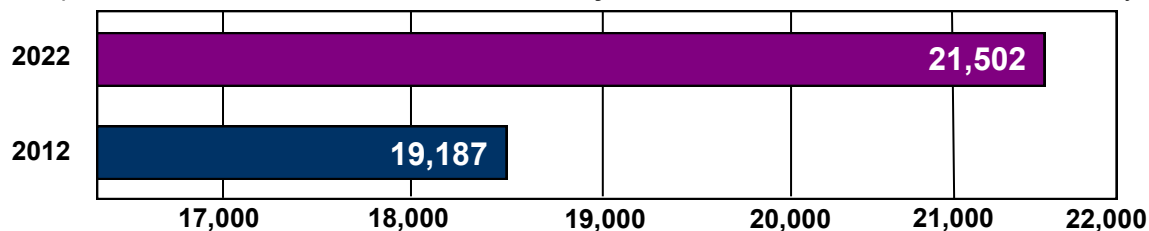
As of October 2022, there were **21,502** students with disabilities enrolled in Special Education. This population makes up **13.4%** of the County's total school enrollment of 158,231 students.

Disability Type	# of Students 2022	# of Students 2021	% Between 2022 and 2021
Autism	3,649	3,186	+ 13.5%
Deaf	61	69	- 12.3%
Deaf-Blind	3	3	0%
Developmental Delay	3,390	3,336	+ 1.6%
Developmental Delay (Extended IFSP)	144	160	- 10.5%
Emotional Disability	724	734	- 1.4%
Hearing Impairment	156	149	+ 4.6%
Intellectual Disability	596	561	+ 6.0%
Multiple Disabilities	591	558	+ 5.7%
Orthopedic Impairment	12	15	- 22.2%
Other Health Impairment	3,623	3,491	+ 3.7%
Specific Learning Disability	6,470	6,128	+ 5.4%
Speech and Language Impairment	2,016	1,963	+ 2.7%
Traumatic Brain Injury	13	13	0%
Visual Impairment	54	51	+ 5.7%
<b>Total</b>	<b>21,502</b>	<b>20,417</b>	

Source: Maryland State Department of Education - Special Education/Early Intervention Services Census Data 10/2022 and 10/2021

## Montgomery County School Enrollment - Special Education Ages 3 to 21

Special Education enrollment has **increased by 2,315 students or 12.1%** over the last ten years.



# of students ages 3 - 21 enrolled in Special Education in Montgomery County Public Schools

Source: Maryland State Department of Education - Special Education/Early Intervention Services Census Data 10/2022

## Students with Disabilities By Race Compared with General Education Students By Race - Ages 3 to 21

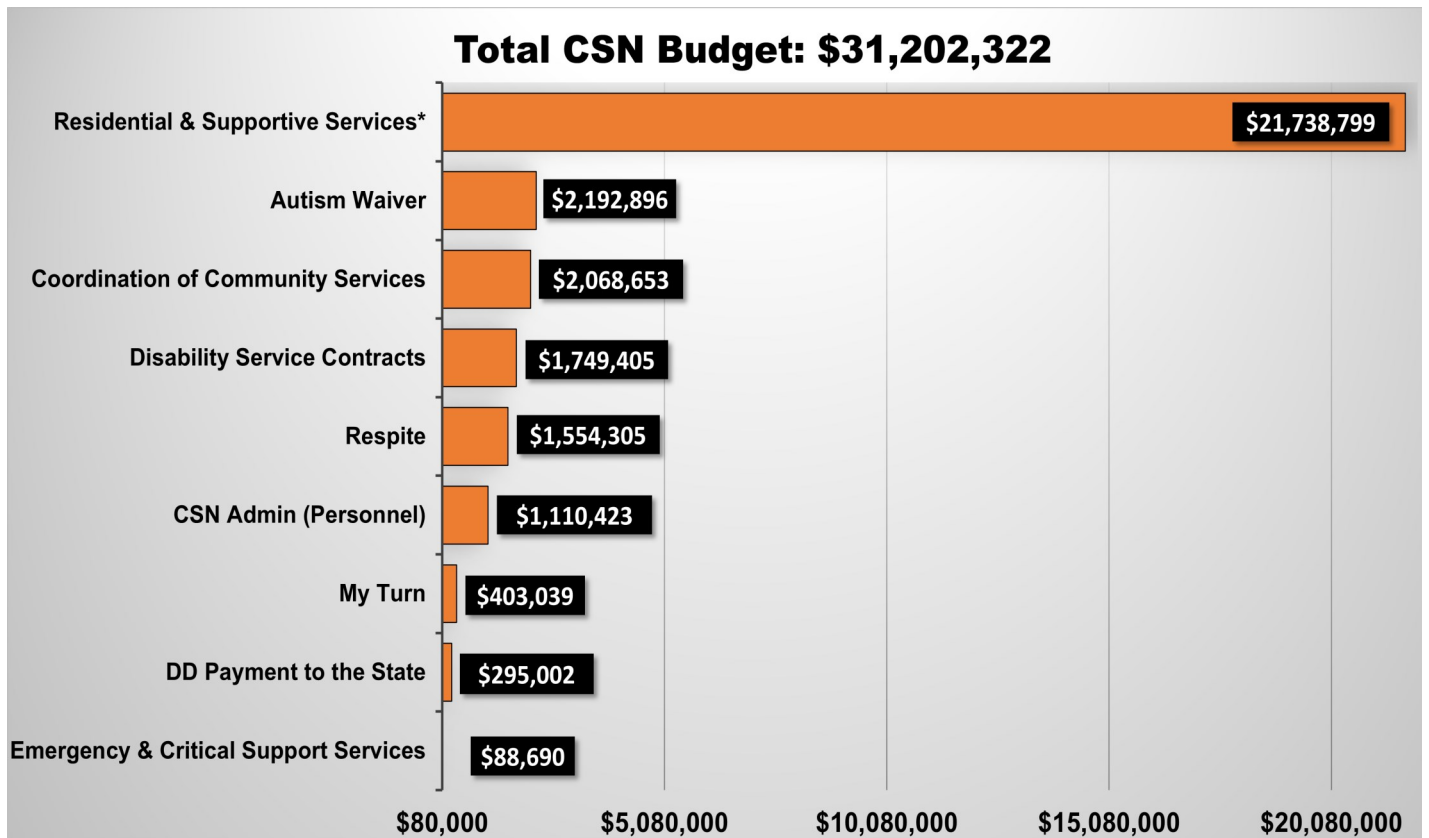
SWD = Students with Disabilities / GE = General Education (includes students with disabilities)

	Grand Total	Asian		Black or African American		White		Hispanic		Two or More Races	
		Total	Percent	Total	Percent	Total	Percent	Total	Percent	Total	Percent
<b>SWD</b>	21,358	1,692	7.9%	5,645	26.4%	5,116	24.0%	7,842	36.7%	999	4.7%
<b>GE</b>	158,231	22,266	14.1%	34,627	21.9%	40,062	25.3%	52,853	33.4%	7,968	5.0%

Source: MSDE - Special Education/Early Intervention Services Census Data 10/2022. Does not include Eligibility 3 students. Grand total includes American Native/Alaska Native (44 SWD) and Native Hawaiian or Other Pacific Islander (24 SWD).

Data collected by the Commission on People with Disabilities

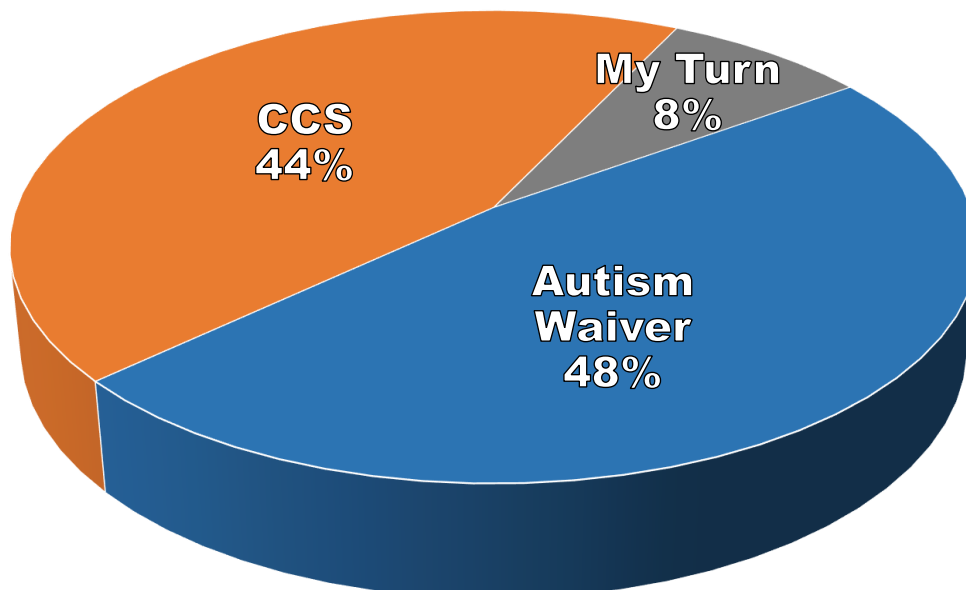
# Community Support Network (CSN) FY25 Budget By Program



\* Residential & Support Services includes support to developmental disability service providers.

## CSN Client Breakdown by Program

**Total CSN Clients: 966**  
**Coordination of Community Services (CCS): 425 clients**  
**Autism Waiver: 463 clients**  
**My Turn: 78 clients**



Data from August 2024

Data collected by the Commission on People with Disabilities

# How To Contact Your County Elected Officials



**County Executive  
Marc Elrich**

The **County Executive** can be reached at:

Executive Office Building  
101 Monroe Street, 2nd Floor  
Rockville, MD 20850  
240-777-0311 (V)  
240-773-3556 (TTY)

[County.ExecutiveI@montgomerycountymd.gov](mailto:County.ExecutiveI@montgomerycountymd.gov)



**Montgomery County Council**

*Standing, left to right: Sidney Katz, Laurie-Anne Sayles, Andrew Friedson (President), Natali Fani-González, and Gabe Albornoz. Seated, left to right: Will Jawando, Kristin Mink, Marilyn Balcombe, Evan Glass Dawn Luedtke, and Kate Stewart (Vice President)*

The **County Council** can be reached at:

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, MD 20850  
240-777-7900 (V)  
MD Relay 711 (TTY)  
240-777-7989 (FAX)

[county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov)

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**Marc Elrich, County Executive**  
**James C. Bridgers, Jr., Ph.D., MBA, Director**  
**Montgomery County Department of Health and Human Services**  
**Patrice L. McGhee, DPA, Chief, Aging and Disability Services**  
**Intellectual and Developmental Disabilities Commission**

**Language translation and alternative formats of this report are available upon request.**  
**240-777-3000 (V) • Email: [ADS@montgomerycountymd.gov](mailto:ADS@montgomerycountymd.gov)**

*Montgomery County does not discriminate on the basis of disability in employment or in the admission or access to its programs or services.*