

**Department of Legislative Services**  
Maryland General Assembly  
2017 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 128

(Chair, Health and Government Operations  
Committee)(By Request - Departmental - Disabilities)

Health and Government Operations

Finance

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**State Disabilities Plan and Interagency Disabilities Board - Revisions**

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This departmental bill requires the State Disabilities Plan to provide for the coordination of support services that address, on a statewide basis, the improvement of crime control, public safety, and correctional services that appropriately take into account the needs and rights of individuals with disabilities. Accordingly, the bill adds representatives of additional State agencies to the Interagency Disabilities Board. It also changes the date by which a specified annual analysis must be submitted to the Governor and the General Assembly from October 1 to December 1.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State operations or finances as State entities newly represented on the Interagency Disabilities Board can participate and provide reimbursement with existing resources.

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Disabilities (MDOD) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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**Analysis**

**Bill Summary:** The bill adds to the Interagency Disabilities Board (1) the Secretary of Juvenile Services, or the Secretary's designee; (2) the Secretary of Public Safety and

Correctional Services, or the Secretary's designee; and (3) the Executive Director of the Governor's Office of Crime Control and Prevention, or the Executive Director's designee.

The bill also makes a technical and conforming change in reference to behavioral health.

**Current Law:** The Interagency Disabilities Board is tasked with developing the State Disabilities Plan. The board comprises representatives from specified State agencies, as well as representatives from any other unit of State government that the Governor designates.

The State Disabilities Plan must provide for the coordination of support services that ensure compliance with specified federal and State requirements and are necessary for individuals with disabilities to achieve maximum participation in the community in the most integrated setting possible. The plan must also provide for the coordination of support services that address, on a statewide basis, the improvement of:

- the capacity of communities to support individuals with disabilities with personal attendant care and other long-term care options that are self-directed;
- the availability of accessible, integrated, and affordable housing options;
- reliable transportation options;
- employment and training options, including self-employment and noncongregant competitive opportunities available in an integrated environment in which there are individuals with and without disabilities;
- somatic and mental health options;
- accessible and universally designed technology;
- support services for children, youth, and their families to enable them to achieve successful learning; and
- family support services, including respite care.

The Secretary of Disabilities must request that the board revise the State Disabilities Plan at least once every four years and then must review and approve or amend the State Disabilities Plan. The Secretary has to adopt regulations to implement the plan and submit, by October 1 of each year, an annual analysis of the State's progress in implementing the plan and related performance objectives to the Governor and General Assembly.

**Background:** According to MDOD, shifting the due date of the annual progress analysis allows the department to increase the accuracy and completeness of data provided by State agencies. MDOD advises that some programs collect data according to the federal fiscal year, which ends September 30. As a result, MDOD has had to utilize projected data, or data from a previous fiscal year, in order to meet the October 1 deadline. Shifting the deadline to December 1 allows for the inclusion of additional complete data in the analysis.

MDOD further advises that, while the Governor has the authority to include any other unit of State government on the board, the specific inclusion of representatives of the Department of Juvenile Services, the Department of Public Safety and Correctional Services, and the Governor's Office of Crime Control and Prevention guarantees their participation. Additionally, the requirement that the plan address crime control, public safety, and correctional services that appropriately take into account the needs and rights of individuals with disabilities facilitates a broad review of these issue areas by the board for inclusion in the State Disabilities Plan. MDOD advises that, as there have been several high-profile incidents involving people with disabilities and law enforcement across the country and in the State, improving or reducing the interactions between people with disabilities and public safety entities should be addressed by the State Disabilities Plan, which requires an interdisciplinary approach.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Governor's Office of Crime Control and Prevention; Maryland Department of Disabilities; Department of Juvenile Services; Department of Public Safety and Correctional Services; Department of Legislative Services

**Fiscal Note History:** First Reader - January 26, 2017  
mm/ljm Third Reader - February 21, 2017

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Analysis by: Nathan W. McCurdy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Disabilities – State Disabilities Plan –Interagency  
Disabilities Board Composition and Reporting

BILL NUMBER: HB 128

PREPARED BY: Anne Blackfield

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

N/A