

SUSAN C. LEE  
*Legislative District 16*  
Montgomery County

MAJORITY WHIP

Judicial Proceedings Committee

Joint Committee on  
Cybersecurity, Information Technology,  
and Biotechnology

*Chair Emeritus*  
Maryland Legislative Asian American  
and Pacific Islander Caucus

*President Emeritus*  
Women Legislators of the  
Maryland General Assembly, Inc.



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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

March 10, 2020

Senate Finance Committee

**SB 959 - Public Health – Demonstration Program and Developmental Disabilities**

Senate Bill 959, as amended, strives to promote the dignity and bolster the independence of Marylanders living with disabilities and their families. in Maryland. One provision alone is responsible for the fiscal note, but we have a letter that will be presented to the committee in the coming days to clarify that the high costs are simply the calculation of extending an existing pilot program for those who are in the Rare and Expensive Case Management (REM) Program to be able to participate in the Employed Individuals with Disabilities (EID) program. The existing pilot program is not being utilized, because it was drafted to be narrower than we intended. We fix the scope of the demonstration program in this bill, but the main thrust of this bill is to help a different group of individuals, those with self-directed services. This bill establishes a few major rules of the road, and sets up a Council on Developmental Disabilities to make sure DDA families have a persistent voice in this policymaking space.

In 2005, Maryland created the independence Plus program to provide individuals living with developmental disabilities supports to select their own service providers and direct their own care. The Independence Plus program allowed for family members to be a part of that care.

In 2013, we merged the Independence Plus program with Community Pathways to create one waiver for persons living with developmental disabilities. That consolidation has constricted the freedom of choice, diminished access to needed services and limited control for people living with disabilities in Maryland. SB959 seeks to restore the freedom, choice and access that the original Independence Plus program offered. The bill would allow participants to hire family members at up to 40 hours/week for the extraordinary care they provide, all overseen and supported by the State Advisory Council that the bill establishes.

The fact that, at present, a support broker who assists families with day-to-day management and training is not a fiduciary, is concerning. This bill seeks to clarify the role and obligations of support

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brokers. We do not anticipate this bill negatively impacting any existing RFPs, but to the extent that they do, it is important to examine why. The advocates and I welcome an open dialogue.

For these reasons and those that the advocates are about to provide, I respectfully request a favorable report with amendment on SB 959.