



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

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

SB 828-Family and Medical Leave Insurance Program – Modifications

Senate Finance Committee

March 2, 2023

Position: Support with Amendment



8601 Robert Fulton Dr
Suite 140
Columbia, MD 21046



1500 Union Avenue
Suite 2000
Baltimore, MD 21211



8835 Columbia 100 Pky
Suite P
Columbia, MD 21044



Maryland Developmental Disabilities Council

217 E Redwood Street
Suite 1300
Baltimore, MD 21202



7000 Tudsbury Road
Windsor Mill, MD 21244

The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for Marylanders with intellectual and developmental disabilities (IDD). As such we are pleased to support this bill, with two amendments, which will help people with intellectual and developmental disabilities hire and retain staff who will support them as they build their lives in the community.

We support SB 828, the Family and Medical Leave Insurance (FAMLI) Program, which makes alterations to the law that passed last year and allows for successful implementation of the FAMLI program. We are appreciative that the bill sponsor codified the intent expressed in last year’s bill for the State to pay for the employer portion of the cost of the program for developmental disability service providers and others.

We support this provision and offer an amendment so that the DD providers’ employer portion can be paid by the State while also drawing down federal matching funds. In our proposed amendment, *which is attached to this testimony*, community providers would pay the employer portion into the fund upfront, and require DDA to reimburse providers for this expense on a quarterly basis. This approach will achieve the goal of maximizing funds related to this purpose, while also covering the additional costs for Medicaid-funded DDA community providers.

The second amendment addresses the additional strain that SB 828 would place on the workforce of developmental disability community providers, by setting a standard that employees could access leave when unable to perform one or more job functions. Community providers will work with employees whenever possible to provide accommodations while also balancing the need for an adequate direct support workforce.

We appreciate your support for employers who provide services to Marylanders with developmental disabilities, and we support the FAMLI program, with the attached amendments.

For more information contact Laura Howell, Executive Director, Maryland Association of Community Services (MACS) at lhowell@macsonline.org or (443) 848-1384 (m).

AMENDMENT #1

SB 828 – Family and Medical Leave Insurance Program – Modifications

On page 13, strike lines 23 through 30, and insert:

THE MARYLAND DEPARTMENT OF HEALTH SHALL REIMBURSE COMMUNITY PROVIDERS THAT PROVIDE SERVICES LICENSED OR CERTIFIED BY THE DEVELOPMENTAL DISABILITIES ADMINISTRATION AND BEHAVIORAL HEALTH ADMINISTRATION FOR THE EMPLOYER CONTRIBUTION REQUIRED UNDER 8.3-601 (F) OF THIS ARTICLE.

REIMBURSEMENT SHALL BE MADE FOR ALL EMPLOYER CONTRIBUTIONS RELATED TO THE PROVISION AND MANAGEMENT OF SERVICES LICENSED OR CERTIFIED BY THE MARYLAND DEVELOPMENTAL DISABILITIES ADMINISTRATION.

REIMBURSEMENT SHALL BE MADE AT LEAST QUARTERLY.

Explanation: This amendment will allow the State to draw down federal matching funds to offset the cost of covering the employer portion of the program for DDA licensed or certified community providers.

AMENDMENT #2

On page 7, starting on line 31, strike “ONE OR MORE”.

On page 8, on line 6, strike “ONE OR MORE”.

Explanation: Developmental disability community providers are facing a historic workforce shortage. The bill, as introduced, would allow employees to take part in the leave program when unable to perform only one job function. Community providers will typically work with employees to provide accommodations, wherever possible, in order to meet the employee’s needs while also ensuring an adequate direct support workforce. Amendment #2 returns the standard to that initially passed by the General Assembly in 2022.