

SUPPORT WITH SPONSOR'S AMENDMENTS – HB 1149

Medicaid Waiver Programs - Waitlist and Registry Reduction (End the Wait Act)

Health and Government Operations Committee

March 07, 2023

Chair Peña-Melnik and Members of the Committee,

Thank you for the opportunity to provide written and oral testimony in support of House Bill 1149, on behalf of Disability Rights Maryland (DRM). Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be integrated in their communities and live independently in their homes through access to high-quality health care and supports.

Maryland's Medicaid Waivers offer a wide array of home-based care to people with disabilities of all ages and varying needs. These programs also provide opportunities for people with disabilities to avoid having to be institutionalized in facilities such as nursing facility and Maryland's State Residential Centers, or imprisoned in correctional facilities. Maryland's Medicaid Waivers also support families that are caring for their loved ones with disabilities and people with disabilities are able to stay in their family home and community.

However, tens of thousands of Marylanders are currently on varying waiting lists to access the care they need under a Medicaid Waiver program.¹ HB 1149 builds on SB 636, which passed last session, which requires the Maryland Department of Health to develop and implement a plan to reduce the waiting list for each of its waiver programs by 50% and requires the Governor to include enough funding in the Fiscal Year 2024 budget to reduce the waiting lists by 50%. It clarifies that the \$30 million in the dedicated purpose account must be used to expand all Medicaid waivers, with \$10 million specifically for the Autism Waiver. HB 1149 also allows a portion of the funds to be used to expand provider capacity, including hiring and retaining staff and providers, increasing provider rates, and addressing other issues that limit provider capacity.

HB 1149 will have the following impact:

- Furthers Maryland's goals of and compliance with the *Olmstead* decision and the community integration mandate of the Americans with Disabilities Act (ADA).²
- Reduce wait times for accessing Waiver services.
- Ensures future Waiver applicants are more efficiently screened and directed to the appropriate Waiver program that will meet their needs.

¹ See: https://mgaleg.maryland.gov/2022RS/fnotes/bil_0006/sb0636.pdf; The Home- and Community-Based Options Waiver alone has approximately 21,238 people on its waitlist.

² *Olmstead v. L.C.*, 527 U.S. 581 (1999); 42 U.S.C. § 12101.

- Address the provider shortages by building the capacity of providers, including the recruitment and retention of providers and direct support professionals, increasing provider rates, and addressing other issues that limit provider capacity.

For these reasons, DRM strongly supports House Bill 1149, and urges the Committee to support the ability of working Marylanders with disabilities to access and maintain Medicaid coverage, and issue a favorable report on HB 1149. Thank you for your consideration.

Please contact Randi Ames at 443-692-2506 or RandiA@DisabilityRightsMd.org with any questions.