



DATE: March 20, 2024 **COMMITTEE:** Senate Education, Energy, Environment
BILL NO: House Bill 60
BILL TITLE: Rehabilitation Services – Disability – Definition
POSITION: Support

Kennedy Krieger Institute supports House Bill 98 - Office of the Deaf and Hard of Hearing - Deafblind Co-Navigation Services Program – Established.

Bill Summary:

House Bill 60 changes the definition of disability relating to the provision of rehabilitation services in the State to “any **physical or mental impairment that constitutes or results in a substantial impediment** to employment or independent living,” to align with the definition of disability under Section 504 of the Rehabilitation Act of 1973 (Section 504).

Background:

Kennedy Krieger Institute provides specialized services to patients nationally and internationally. Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive and physical challenges. Kennedy Krieger’s services include inpatient, outpatient, school-based and community-based programs.

The Maryland Center for Developmental Disabilities (MCDD) at Kennedy Krieger Institute is proud to be Maryland’s University Center for Excellence in Developmental Disabilities Education, Research, and Service (UCEDD) and a member of the national Association of University Centers on Disabilities (AUCD).

MCDD links the community to vital services, research and information to improve the lives of people with disabilities. Our mission is to provide leadership that advances the inclusion of people with intellectual, developmental and other disabilities through preservice preparation and training; research and evaluation; community service and technical assistance; and information dissemination.

Rationale:

Currently, under the Maryland Education Article § 21-301 “disability” is defined as, “any defect or infirmity that may incapacitate an individual totally or partially for gainful employment or independent living.”¹ This definition of disability utilizes outdated language such as “defect” or “infirmity” that are disliked and rejected by the disability community.² The proposed definition utilizes language that is both inclusive and neutral.

Section 504 defines individuals with disabilities as, “person[s] with a physical or mental impairment which substantially limits one or more major life activities.”³ Aligning the definition of disability with federal law will improve consistency across disability related services and protections.

Kennedy Krieger Institute requests a favorable report on House Bill 60.

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¹ Md. Code Ann., Ed. § 21-301(2005).

² *Disability Language Style Guide*, National Center on Disability and Journalism (Aug. 2021), <https://ncdj.org/style-guide/#>.

³ 34 C.F.R. § 104.3(j)(1).