

SB592 - ABLE Program - Testimony.pdf

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Position: FAV

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 Religious Zionists of America
 Shaarei Tfiloh Congregation
 Shomrei Emanah Congregation
 Suburban Orthodox Congregation
 Temple Beth Shalom
 Temple Isaiah
 Zionist Organization of America
 Baltimore District

Written Testimony

**Senate Bill 592 - Maryland Achieving a Better Life Experience (ABLE)
 Program - Materials for Individualized Education Program Meetings
 Education, Energy, and the Environment Committee – February 23, 2024
 Support**

Background: Senate Bill 592 would require a local school system to provide to parents of children with disabilities certain written informational materials regarding the Maryland ABLE Program; require the State Treasurer to develop informational materials about the Maryland ABLE Program for distribution; and require the State Treasurer to provide informational materials to the State Board of Education and county boards of education.

Written Comments: The Baltimore Jewish Council represents The Associated: Jewish Federation of Baltimore and all of its agencies. This includes the Jewish Connection Network, which has an entire department dedicated to ensuring that every member of our community, regardless of their background or abilities, can fully embrace Jewish life.

According to the 2020 Community Study, 14% of our community has a disability or medical condition that limits their ability to work or attend school. *(Of course, they are not all eligible for ABLE or for programs that pay for personal assistants.)*

Despite its benefits, many people who are eligible for an ABLE account do not know that these accounts exist. In 2022, only 120,000 of the estimated 8 million nationwide eligible beneficiaries have opened an ABLE account. Less than one percent of the eligible disabled survey participants had an ABLE account, all of whom had less than \$10,000 in their accounts. 93% of survey respondents said they were unfamiliar with ABLE accounts.

Millions of individuals with disabilities and their families depend on a wide variety of public benefits for income, health care, and food and housing assistance. ABLE is a mechanism to avoid poverty for individuals with disabilities, and it is imperative that there is proper education about the program so that those in need can reap the benefits.

For these reasons, the Baltimore Jewish Council asks for a favorable report on SB592.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

SB592. The Arc Maryland. Support.pdf

Uploaded by: Ande Kolp

Position: FAV



SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE
SB 592: Maryland Achieving a Better Life Experience (ABLE) Program -
Materials for Individualized Education Program Meetings
January 31, 2024
Position: Support

The Arc Maryland is a statewide advocacy and service organization that works to protect and advance the rights and quality of life of people with disabilities.

Maryland ABLE accounts help individuals with disabilities save money and pay for qualified disability-related expenses without losing the federal and state benefits they need, like SSI or Medicaid benefits.

Unfortunately, even as the program has been available in Maryland for several years, many people are unaware of this important resource.

SB 592 requires local school systems to provide, to parents of students with disabilities and IEPs, certain written informational materials regarding the Maryland ABLE Program on at least an annual basis. As most studies say that people need to hear about something 7 times before they remember it, it may still take time for parents to take note and act on the information, but we will have greater confidence they know about the program and its potential benefits for their children.

As a related note, there is another parent notification bill working its way through the federal legislative process at this time: The "Think Differently About Education Act"ⁱ That bill would require schools to notify parents before their child's first IEP meeting each academic year of their right to include experts and other third parties in such meetings. For parents, this might mean inviting a lawyer, an education advocate, therapist or other SME or a family member with knowledge of the child. Although the Individuals with Disabilities Education Act already gives parents the right to involve third parties in IEP meetings, most families are unaware of their rights to do so. Adding this notification to what is provided to the parents, in addition to information about ABLE accounts, would be a game changer for transparency in Maryland.

For more information, please contact:

Ande Kolp, Executive Director, The Arc Maryland akolp@thearcmd.org

ⁱ <https://www.disabilityscoop.com/2023/09/19/house-panel-advances-bill-clarifying-parents-rights-at-iep-meetings/30553/>

SB 592 SUPPORT (February 2024).pdf

Uploaded by: Dawn Luedtke

Position: FAV



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

February 23, 2024

The Honorable Senator Brian Feldman
Chair, Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, MD 21401

RE: Senate Bill 592, *Maryland Achieving a Better Life Experience (ABLE) Program - Materials for Individualized Education Program Meetings*

Dear Chair Feldman:

I write in support of Senate Bill 592, which would require the State Treasurer to develop written informational materials about the Maryland Achieving a Better Life Experience (ABLE) program and provide those materials to the State Board of Education and local boards of education for distribution to parents during individualized education program (IEP) meetings.

The Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014 established a new section of the Internal Revenue Code that permits states to establish and maintain a qualified ABLE program, another type of tax-advantaged savings program under which contributions may be made to an account that is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account.

This legislation offers a simple, educational outreach opportunity to inform families about ABLE as they first begin their journey within the special education system, and at the established mandated checkpoints thereafter. This is needed because the special education process is laden with acronyms, oftentimes challenging to navigate, and complex. Thank you to Senator Zucker and his colleagues for sponsoring Senate Bill 592.

Very truly yours,

Dawn Luedtke
Councilmember, District 7
Montgomery County

cc: Members of the Education, Energy, and the Environment Committee Committee

The Arc_ABLE IEP_Fav Testimony_SB592.pdf

Uploaded by: Gregory Snyder, III

Position: FAV



February 23, 2024

Senate Education, Energy, and the Environment Committee
The Honorable Brian Feldman
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

**Re: Senate Bill 592: Maryland Achieving a Better Life Experience (ABLE) Program
- Materials for Individualized Education Program Meetings – Favorable Support**

Dear Chairman Feldman and Members of the Education, Energy, and the Environment Committee:

I am writing to you on behalf of The Arc Central Chesapeake Region in SUPPORT of SB592: Maryland Achieving a Better Life Experience (ABLE) Program - Materials for Individualized Education Program Meetings.

The Arc Central Chesapeake Region serves over 3,000 children and adults with intellectual and developmental disabilities and their families in Anne Arundel County and Maryland's Eastern Shore. The Arc Central Chesapeake Region's mission is supporting people with intellectual and developmental disabilities to live the lives they choose by creating opportunities, promoting respect and equity, and providing access to services.

Caregivers of children with disabilities often worry about what their child's life will look like as they age. They must consider who will provide care for their child in the future, and how their child's unique needs will be met, so that their child is empowered to live their life as independently as possible. ABLE accounts allow people with intellectual and developmental disabilities to continue to access the benefits they need now, while saving for some of the significant additional costs they can expect as they age. **It is imperative that families have robust information on ABLE accounts readily available during IEP (Individualized Education Program) meetings because it enables them to start saving early and helps ease the anxiety of long-term financial planning for their child.**

At The Arc Central Chesapeake Region, we have seen great success with ABLÉ accounts and support over 90 people in our Living Options & Services program that utilize them. ABLÉ accounts are incredibly helpful for people who have received large back payments from Social Security or whose families have left them liquid-able assets, because they can keep the funds without being considered over-asset and potentially losing critical benefits. Consequently, **The Arc strongly encourages the people we support and their families to open these easy-to-navigate ABLÉ accounts.**

The Arc Central Chesapeake Region supports this vital legislation and urges the Committee for a favorable report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathon Rondeau".

Jonathon Rondeau
President & CEO

EACtestimony.SB592.pdf

Uploaded by: Leslie Margolis

Position: FAV

Education Advocacy Coalition

for Students with Disabilities

SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

SENATE BILL 592: Maryland Achieving a Better Life Experience (ABLE) Program—Materials for Individualized Education Program Meetings

DATE: FEBRUARY 23, 2024

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 40 organizations and individuals concerned with education policy for students with disabilities in Maryland, is pleased to support Senate Bill 592, which would require that at least once per year, parents of children with disabilities receive written informational materials about the Maryland Achieving a Better Life Experience (ABLE) Program. The ABLE program allows families to create tax-free savings account for their member with a disability to be used for disability-related expenses. Significantly, Senate Bill 592 also requires that these informational materials be translated into the parent's native language if the parent's native language is not English. EAC members feel confident that the State is already required to ensure that written materials are available upon request in an alternative format for those who are unable to read print; it may be helpful for Senate Bill 592 to include this provision for the sake of clarity.

Although information about the ABLE Program will be helpful to parents of students with disabilities of all ages, as it will help families financially plan for their children, understanding and setting up ABLE accounts can be an important step in transition planning for youth with disabilities as they get older and the Individualized Education Program (IEP) team identifies the services and supports needed to help a student exit the school system as independently as possible.

For these reasons, the EAC supports Senate Bill 592. For additional information, please contact Leslie Seid Margolis, Co-Chairperson, at lesliem@disabilityrightsmd.org or 443-692-2505.

Respectfully submitted,

Selene Almazan, Selene Almazan Law, LLC

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Educational Advocate

Elizabeth Benevides, Autism Society of Maryland, Co-Chairperson EAC

Ellen Callegary, Attorney (Retired)

Melanie Carlos, xMinds (Partnership for Extraordinary Minds)

Stephanie Carr, S.L. Carr Educational Consultants, LLC

Rich Ceruolo, Parent

Michelle R. Davis, M.S.Ed., ABCs for Life Success

Jennifer Engel Fisher, Weinfeld Education Group
Lisa Frank, Andrea Bennett, Jen Ritchotte and Amy Tonti, Special Kids Company
Beth Ann Hancock, Charting the Course, LLC
Kalman Hettleman, Independent Advocate
Nicole Joseph and Kate Raab, Law Offices of Nicole Joseph
Rosemary Kitzinger and Marge Guldán, Bright Futures, LLC
Mallory Legg, Annie Carver, Maureen van Stone, Tyler Cochran, Project HEAL at Kennedy
Krieger Institute
Rachel London, Maryland Developmental Disabilities Council
Leslie Seid Margolis, Disability Rights Maryland
Lindsay Muir, Abilities Network
Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center
Ronza Othman, National Federation of the Blind of Maryland
Maria Ott, Attorney
Camila Reynolds-Dominguez, FreeState Justice
Rebecca Rienzi, Pathfinders for Autism
Jaime Seaton, BGS Law, LLC
Kelly Spanoghe, Education Consultant
Karleen Spitulnik, Decoding Dyslexia Maryland
Ronnetta Stanley, M.Ed., Loud Voices Together
Wayne Steedman, Steedman Law Group, LLC
Guy Stephens, Alliance Against Seclusion and Restraint
Jessica Williams, Education Due Process Solutions, LLC
Liz Zogby, Maryland Down Syndrome Advocacy Coalition

Also joining this testimony:

sharlimar douglass, Maryland Alliance for Racial Equity in Education (MAREE)

SB592.DD Council.Support.pdf

Uploaded by: Rachel London

Position: FAV



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Education, Energy, and the Environment Committee
**SB 592: Maryland Achieving a Better Life Experience (ABLE) Program – Materials for
Individualized Education Program Meetings**
February 23, 2024
Position: Support with Sponsor Amendments

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. The ABLE Program makes it possible for people with disabilities to do just that.

WHAT is the ABLE Program?

- Maryland ABLE is an easy to use savings program.
- The money in an ABLE account must be used for “qualified disability expenses.” These are things a person with a disability needs to be as healthy and independent as possible, and have a good quality of life.

WHAT does this legislation do?

- Requires information about Maryland ABLE be provided at least one time a year at a student’s individualized education program team meeting.
- Sponsor amendments also require the information to be provided at a child’s Individualized Family Service Plan (IFSP) team meeting and a student’s 504 plan team meeting.

WHY is this important?

- Maryland ABLE is an easy to use savings account. **It makes it possible for people with disabilities and their families to save and invest money without losing the federal and state benefits they need, like Supplemental Security Income (SSI) and Medicaid.**
- Eligible people with disabilities and their families have the opportunity to open tax-exempt savings accounts modeled after the 529 college saving program. **ABLE accounts help people with disabilities and their families save to address their needs.** This is especially important when waiting lists for services and support provided through state funding are long.
- **Expenses related to a disability can be much higher relative to other families.** Money in an ABLE Account can be used for many different things a person wants and needs.
- If you are under the age of 18, a parent can open and manage the account for you.
- **One of the barriers to participation in Maryland ABLE is awareness.** Families need to have the information about Maryland ABLE to be able to take advantage of the opportunity.

The sooner, and more often families get information about Maryland ABLE, the more likely they are to open an ABLE account. For these reasons, the Council supports SB 592.

Contact: Rachel London, Executive Director, RLondon@md-council.org

217 E. Redwood Street, Suite 1300 • Baltimore, MD 21202 • 410.767.3670 • md-council.org

Dee Sapp, *Chairperson* • Rachel London, Esq., *Executive Director*

02.22 - SB 592 - Maryland Achieving a Better Life

Uploaded by: Robin McKinney

Position: FAV



SB 592 - Maryland Achieving a Better Life Experience (ABLE) Program - Materials for Individualized Education Program Meetings
Education, Energy and the Environment Committee
February 23, 2024
SUPPORT

Chair Feldman, Vice-Chair Kagan and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 592. This bill will require schools to provide information about the Maryland ABLE Program during individualized education program (IEP) meetings for children with disabilities.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

ABLE Accounts are investment accounts like the state's 529 College Savings Plans. These accounts are the first tool that allow individuals with disabilities to build wealth and independence, cover financial emergencies, and pay for expensive health care needs. ABLE Accounts have special benefits including a tax deduction for contributions, and protection from asset limits. They are an empowerment tool as it allows individuals to save up to \$18,000 per year, without having to worry about losing their benefits.

CASH works with the Baltimore Infants and Toddlers Program which helps families who have children with developmental delays and is the nonprofit administrator for the Baltimore Young Family Success Fund which provides monthly \$1,000 payments to young families. Participants in both programs consistently express the need for more resources. IEP meetings serve as a family's way to ensure that their children receive the support they need at school. They can also serve as a way for families to be connected to resources that will help them outside the school system.

Connecting people to the resources they need is essential to ensure the financial security of families. Many families with children that have disabilities find it hard to stay connected to the workforce which negatively effects their ability to save and plan for their children's future. HB 336 would require schools to let families know that they can safely save without fear of losing their benefits. This will spread the word about the program and encourage families to save for the future.

Thus, we encourage you to return a favorable report for SB 592.

Creating Assets, Savings and Hope

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Uploaded by: Senator Craig Zucker

Position: FAV



SB0592/843523/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

16 FEB 24
10:41:40

BY: Senator Zucker

(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENTS TO SENATE BILL 592

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Program**” insert “, **Individualized Family Service Plan, and 504 Plan**”; in line 5, after “program” insert “, **individualized family service plan, and 504 plan**”; in line 11, after “programs” insert “, **individualized family service plans, and 504 plans**”; and after line 22, insert:

“BY adding to

Article - Education

Section 8-405.1

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 2, after “**PROGRAM**” insert “**OR INDIVIDUALIZED FAMILY SERVICE PLAN**”; and after line 33, insert:

“**8-405.1.**

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AT LEAST ONE TIME EACH YEAR AT A STUDENT’S 504 PLAN MEETING, THE PARENTS OF THE STUDENT SHALL BE PROVIDED WITH THE WRITTEN INFORMATIONAL MATERIALS REGARDING THE MARYLAND ABLE PROGRAM PROVIDED UNDER § 18-19C-03(A)(2) OF THIS ARTICLE.

(B) (1) IF A STUDENT'S 504 PLAN MEETING DOES NOT OCCUR AT LEAST ONE TIME EACH YEAR, THE WRITTEN INFORMATIONAL MATERIALS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED AT EACH 504 PLAN MEETING.

(2) IF A PARENT'S NATIVE LANGUAGE IS NOT ENGLISH, THE WRITTEN INFORMATIONAL MATERIALS SHALL BE PROVIDED IN THE PARENT'S NATIVE LANGUAGE.

(3) THE PARENTS MAY REQUEST THE WRITTEN INFORMATIONAL MATERIALS PROVIDED AT ANY SUBSEQUENT MEETING.

On page 4, in line 21, after "PROGRAM" insert ", INDIVIDUALIZED FAMILY SERVICE PLAN, AND 504 PLAN"; and in the same line, strike "§ 8-405(B)(2)" and substitute "§§ 8-405(B)(2) AND 8-405.1".

SB592_Zucker_FAV.pdf

Uploaded by: Senator Craig Zucker

Position: FAV

CRAIG J. ZUCKER
Legislative District 14
Montgomery County



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Budget and Taxation Committee
Chair, Capital Budget Subcommittee

Chair, Senate Democratic Caucus

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Craig J. Zucker
Senate Bill 592 - Maryland Achieving a Better Life Experience (ABLE) Program -
Materials for Individualized Education Program Meetings
February 23rd, 2024
9:00 AM
Position: Favorable

Good afternoon, Chair Feldman, Vice Chair Kagan, and distinguished members of the committee. It is my pleasure to testify today in **support of Senate Bill 592 - Maryland Achieving a Better Life Experience (ABLE) Program - Materials for Individualized Education Program Meetings.**

SB592 requires the State Treasurer to develop written informational materials about the Maryland Achieving a Better Life Experience (ABLE) program and provide these materials to state and local Boards of Education for distribution to parents during individualized education program (IEP) meetings on an annual basis. We have included an amendment which would require the information to be shared annually during 504 plan meetings as well.

In December 2014, the United States Congress passed the Achieving a Better Life Experience (ABLE) Act, providing states with the opportunity to establish ABLE programs. ABLE accounts are like the tuition savings plans known as 529 accounts. These accounts allow individuals with disabilities and their families to save money and invest in necessary purchases that improve quality of life, including medical care, education, housing, etc.

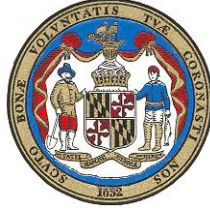
Despite these benefits, far too few families take advantage of the program. As of January 2024, more than 6,000 Marylanders held ABLE accounts, while a staggering 16,695 more Marylanders under the age of 18 were eligible but did not utilize the program. Maryland boasts one of the fastest growing ABLE programs in the country, yet much work still must be done. SB592 works to increase awareness of the program by requiring information about the program through our school systems annually.

We instituted the state ABLE program for good reason, and it is our responsibility to ensure that all qualifying Maryland families have the necessary resources to take advantage of it. For this reason, **I request a favorable report on SB592.** Thank you.

SB 592 - STO Testimony.pdf

Uploaded by: Dereck Davis

Position: FWA



MARYLAND STATE TREASURER
Dereck E. Davis

Testimony of the Maryland State Treasurer’s Office

**Senate Bill 592: Maryland Achieving a Better Life Experience (ABLE) Program -
Materials for Individualized Education Program Meetings**

Position: Favorable with Amendments

Senate Education, Energy, and the Environment Committee

February 23, 2024

As part of an ongoing effort to raise awareness about the Maryland ABLE Program, the State Treasurer’s Office (STO) respectfully requests that the Committee give favorable with amendments consideration to Senate Bill 592.

Need for Broader Promotion

Since assuming responsibility of the Maryland 529 Program in June 2023, STO has learned that the Maryland ABLE Program, despite being one of the fastest growing ABLE programs in the nation,¹ is underutilized. As of January 19, 2024, a total of 6,069 Marylanders held individual ABLE accounts. By comparison, a total of 16,695 Marylanders under the age of 18 were eligible to receive Supplemental Security Income (SSI) in the most recent year for which data is available.²

To promote participation, STO has partnered with Senator Zucker to introduce this important piece of legislation, which requires local school systems to share information about the ABLE Program annually at Individualized Education Program (IEP) meetings. STO supports amendments that the sponsor is offering to clarify and make changes to Senate Bill 592. In particular, the inclusion of two additional touchpoints – meetings related

¹ According to data collected by the National Association of State Treasurers in December 2023, in terms of both accounts and assets under management, Maryland ranks among the top 10 out of 47 states with ABLE programs.

² Social Security Administration “SSI Recipients by State and County, 2022,” available at: https://www.ssa.gov/policy/docs/statcomps/ssi_sc/2022/md.pdf (accessed January 27, 2024).

to Individualized Family Service Plans and Section 504 Plans – ensures that as many Maryland families as possible will receive information about the Maryland ABLE Program for their children.

Feasibility of Distribution

STO has already developed the informational materials and met with the Maryland State Department of Education (MSDE) to discuss the feasibility of distributing the materials at the three touchpoints that would be covered under the amended bill. MSDE has committed to coordinating with local school systems to facilitate implementation. STO commits, in turn, to assisting families who express interest in the Maryland ABLE Program.

Benefits of Maryland ABLE

ABLE accounts are tax-advantaged savings accounts for eligible individuals with disabilities. In order to be eligible, an individual must have (1) experienced onset of the disability before age 26,³ (2) a disability that is terminal or long-term (more than 12 months) that causes “marked and severe functional limitations,” and (3) be entitled to benefits such as Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) or be able to provide a “disability certification” from a doctor.⁴

The accounts are established under the name of the beneficiary (i.e., the person with a qualified disability). Assets grow tax-free and can be withdrawn without tax consequences when used for Qualified Disability Expenses. The first \$100,000 in an account is disregarded for purposes of calculating the \$2,000 asset limit set by Supplemental Security Income (SSI). ABLE account balances are discounted for purposes of eligibility for federal as well as Maryland means-tested programs.

For the foregoing reasons, STO requests that the Committee give Senate Bill 592 a favorable with amendments report. Please contact Laura Atas, Deputy Treasurer for Public Policy (latas@treasurer.state.md.us), with any questions.

³ In 2026, federal law increases the age of onset to 46. National Association of State Treasurers, Press Release, available at: <https://nast.org/wp-content/uploads/edited-able-press-release.pdf>, December 23, 2022 (accessed January 27, 2024).

⁴ Eligibility, ABLE Today, available at: <https://www.abletoday.org/eligibility> (accessed January 27, 2024).