

DRM Written Testimony - HB 60 - Senate.pdf

Uploaded by: Ann Ciekot

Position: FAV



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SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE

House Bill 60: Rehabilitation Services — Disability - Definition

Date: March 19, 2024

Position: Support

Disability Rights Maryland (DRM) is the Protection and Advocacy organization (P&A) for the state of Maryland; the mission of the organization, part of a national network of similar agencies, is to advocate for the legal rights of people with disabilities throughout the state. One of the mandated purposes of DRM's legal work is to advance the civil rights of people with disabilities. HB60 would further this goal by establishing an updated definition of "disability" in the Maryland Education code, to include updated language that promotes human dignity and recognizes the equal, inherent, and inalienable value of every person. The outdated and ableist terms currently contained in Md. Code Ann., Educ. § 21-301 incorrectly characterize those with disabilities as imperfect and feeble.

The statute currently defines disability as "any defect or infirmity that may incapacitate an individual totally or partially for gainful employment or independent living. HB60 will update the definition of disability in Md. Code Ann., Educ. § 21-301 to mirror the definition in the federal Rehabilitation Act of 1973, defining disability as "a physical or mental impairment that constitutes or results in a substantial impediment to employment."

By changing the definition of disability in the Maryland Education Article to reflect modern language and federal statutes, House Bill 60 will promote equity by ensuring that individuals with disabilities are treated with respect. For these reasons, DRM supports House Bill 60.

For more information or if questions, contact: Megan Jones, Assistant Managing Attorney, meganj@disabilityrightsmd.org or 443-692-2508.

HB 60_DisabilityDefinition_KennedyKrieger_Support_

Uploaded by: Emily Arneson

Position: FAV



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).

HB 60 - Favorable - Del. Guyton (Senate).pdf

Uploaded by: Michele Guyton

Position: FAV

MICHELE GUYTON
Legislative District 42B
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Environment and Transportation
Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 20, 2024

Favorable – HB 60
Rehabilitation Services – Disability - Definition

Dear Chair Feldman and Members of the Education, Energy and the Environment Committee,

I respectfully request your consideration and favorable report on HB60 to repeal antiquated and offensive language defining disability from Maryland Law. This bill specifically replaces the term “defect” with “impairment” to bring the Maryland Division of Rehabilitation Services definition in line with accepted definitions in other areas of the Education code and to update it to align with the 1973 Rehabilitation Act and Americans with Disabilities Act of 1990. As this committee has heard from me in the past few years, the DORS is responsible for working primarily in job training for students and adults with disabilities in Maryland and has had few changes in the statute governing it for almost 100 years.

I hope that this Committee will recognize the power of language to influence the success of our mission to gainfully employ people with disabilities and decide to modernize the Maryland code and provide a favorable report on HB60.

Sincerely,

A handwritten signature in black ink that reads "Delegate Michele Guyton".

Delegate Michele Guyton

HB60.DDCoalition.FAV.EEE.pdf

Uploaded by: Rachel London

Position: FAV



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

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

Senate Education, Energy, and the Environment Committee

March 20, 2024

HB 60: Rehabilitation Services – Disability – Definition

Position: Support



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The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for people with intellectual and developmental disabilities (IDD) and their families. As such, the DD Coalition supports HB 60.



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WHAT does this legislation do?

- It changes the definition of disability to “physical or mental impairment that constitutes or results in a substantial impediment to employment of independent living.”

WHY is this important?

- **The proposed definition aligns with federal law.** The disability community advocated for Federal language changes that removed mention of “defect,” “infirmities,” and “incapacitation” which are outdated and offensive.
- **While disability may result in the need for additional supports and services to meaningfully engage in employment or independent living, disability is a natural part of the human experience and does not diminish the right of people to meaningfully participate in society.**
- State vocational rehabilitation (VR) services programs, authorized by the Rehabilitation Act of 1973 and amended by the Workforce Innovation and Opportunity Act (WIOA), provide services for people with disabilities to prepare for and engage in competitive integrated employment and achieve economic self-sufficiency. **The Division of Rehabilitation Services (DORS) is Maryland’s VR program, and plays a critical role for people with disabilities who want to get or keep a job.**



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