

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
State Board of Education  
(DLS Control No. 15-028)**

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**Overview and Legal and Fiscal Impact**

These regulations incorporate by reference a State Department of Education, manual regarding rehabilitation services for individuals with disabilities and include a Financial Participation Schedule.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

**Regulations of COMAR Affected**

**State Board of Education:**

Programs for Adults with Disabilities: Vocational Rehabilitation Services:  
COMAR 13A.11.01.03-1 and .15

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**Legal Analysis**

**Summary of Regulations**

The regulations amend existing State Board of Education provisions regarding vocational rehabilitation services for adults with disabilities by incorporating by reference the Division of Rehabilitation of Services Fee Schedule, Rehabilitation Services Manual V (RSM V) (Maryland State Department of Education, updated through August 2014) and including the Financial Participation Schedule, which is the sliding scale used to determine financial participation of eligible individuals in the cost of vocational rehabilitation services. The changes to the fee schedule reflect changes made for consistency with the Medicare Fee Schedule, for the Baltimore Metro area.

**Legal Issue**

The regulations present no legal issue of concern.

**Statutory Authority and Legislative Intent**

The board cites §§ 21-301 through 21-306 and 21-402 through 21-404 of the Education Article as authority for the regulations. More specifically, § 21-304 requires the board to adopt regulations necessary to administer the provisions of the subtitle relating to the provision of

rehabilitation services for disabled individuals. This authority is correct and complete. The regulations comply with the legislative intent of the law.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The regulations incorporate updated fee schedules relating to vocational rehabilitation services for adults with disabilities by reference and include updated financial participation schedules for annual amounts of individual/family financial participation based on income. The department advises that the regulations have no impact on State or local governments. The changes in the fee schedule are consistent with updates in the Medicare Fee Schedule, for the Baltimore Metro area and the changes in the financial participation schedule reflect 2014 Federal Poverty Guidelines. The Department of Legislative Services concurs but notes that the changes in the schedules may have an impact on the revenues received by the department for vocational rehabilitation services (*e.g.*, higher revenues from higher fees; lower revenues from lower financial participation); however, since about 80% of the vocational rehabilitation services budget is supported by federal revenues, it is unlikely to have a significant fiscal impact.

### **Impact on Budget**

There is no material impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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