

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
State Board of Education**  
(DLS Control No. 15-029)

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**Overview and Legal and Fiscal Impact**

These regulations clarify several provisions related to the administration of the Workforce and Technology Center in the Division of Rehabilitation Service and the provision of services for individuals with significant disabilities. These regulations also alter the list of services that the Center provides and repeal certain provisions regarding individualized written service plans and community living skills training.

These 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: Workforce and Technology Center:  
COMAR 13A.11.08.02, .04, .07–.19

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**Legal Analysis**

**Summary of Regulations**

These regulations repeal Regulation .08 regarding a client's individualized written service plan. Consequently, Regulations .09, .10, .13, .15, .17, .18, and .19 are renumbered and not substantively amended. The remaining regulations are renumbered as appropriate and amended as follows:

- .02 and .04 – repeals a provision relating to community living skills training in the dormitory of the Center and makes a conforming change to the definition of “residential services”;
- .07 – alters the list of services the Center provides by eliminating programs for cognitive skills and including autism services, deaf and hard of hearing services, and recreation opportunities rather than therapeutic recreation opportunities;
- .11 – authorizes the residential services staff, in addition to or irrespective of the client's case manager, to impose specified disciplinary actions involving restrictions on privileges and requires staff to comply with specified notice provisions;

- .12 – alters the name of the Center’s Consumer Handbook and Admission Packet to be the Center’s Admission Packet;
- .14 – expands the information used to provide the basis for an individualized client evaluation plan; and
- .16 – repeals the requirement that a client record include an evaluation and progress report from each Center department providing services.

## **Legal Issue**

These regulations present no legal issue of concern.

## **Statutory Authority and Legislative Intent**

The State Board of Education cites §§ 21-301 through 21-304 of the Education Article as statutory authority for these regulations. More specifically, § 21-304 requires the State board to adopt rules and regulations necessary to administer the provisions of the subtitle regarding the administration of all programs for the rehabilitation of disabled individuals. Section 21-304 also requires the State board to cooperate with other specified entities to provide for the rehabilitation of disabled individuals, provide for the independent living rehabilitation of severely disabled individuals, and develop and provide programs, facilities, and services necessary or desirable to implement the provisions of the subtitle.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

## **Special Notes**

Please note that in response to an inquiry about the repeal of the regulation regarding service plans, the State Board advises that the service plans are redundant with similar assessment services and individualized plans for employment available and utilized by all of the Center’s clients. Moreover, the Commission on Accreditation of Rehabilitation Facilities no longer requires a service plan in order for the Center to receive accreditation. Additionally, the State Board advises that the repeal of provisions relating to the Community Living Skills Training Program are made because the program has been replaced by the Work Readiness Program. Lastly, the State Board advises that the requirement that a client record include an evaluation and progress report from each Center department providing services is redundant with the requirement that the record include a signed and dated service and progress report from each Center department providing services, and has therefore been repealed.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

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

The regulations make technical and administrative changes relating to the Workforce and Technology Center in the Division of Rehabilitation Services. The department advises that the regulations have no impact on State or local governments because the regulations codify existing policy and practice. The Department of Legislative Services concurs.

## **Impact on Budget**

There is no 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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