

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
		Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 5/1/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

13A 11 08 02, .04, .07—.19

3. Name of Promulgating Authority

Maryland State Department of Education

4. Name of Regulations Coordinator

Charlene L Necessary

Telephone Number

410-767-0467

Mailing Address

200 W. Baltimore Street

City State Zip Code

Baltimore MD 21201

Email

cnecessary@msde.state.md.us

5. Name of Person to Call About this Document

Suzanne Page

Telephone No.

410-554-9385

Email Address

suzanne.page@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: December 1, 2014.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Elliott L. Schoen, Assistant Attorney General, (telephone #410-576-6465) on February 27, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Lillian M. Lowery, Ed.D.

Title

State Superintendent of Schools

Telephone No.

410-767-0467

Date

February 24, 2015

Title 13A
A STATE BOARD OF EDUCATION

Subtitle 11 PROGRAMS FOR ADULTS WITH DISABILITIES

13A.11.08 Workforce and Technology Center

Authority: Education Article, §§21-301—21-304, Annotated Code of Maryland

Notice of Proposed Action

[]

The Maryland State Board of Education proposes to amend Regulations .02, .04, .07, .08—.19 under COMAR 13A.11.08 Workforce and Technology Center.

This action was considered during the Maryland State Board of Education meeting on February 24, 2015.

Statement of Purpose

The purpose of this action is to provide technical updates and clarification regarding administration and service provision.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows: The Division of Rehabilitation Services provides services to individuals with significant disabilities through the Workforce & Technology Center to assist them in achieving employment, independence and self-sufficiency. Changes are technical updates and clarifications that enhance services provided to consumers of DORS services at the Workforce & Technology Center.

Opportunity for Public Comment

Comments may be sent to Suzanne Page, Assistant State Superintendent, Maryland State Department of Education, Division of Rehabilitation Services, 2301 Argonne Drive, Baltimore, Maryland 21218, or call 410-554-9385(TTY:443-798-2840), or email to dors@maryland.gov, or fax to 410-554-9384. Comments will be accepted through June 1, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 23, 2015, 9:00 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Program is funded 78.7% with federal funds. State general required match of 21.3% is met.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

Updated regulations reflect only clarifications of existing policy and practice regarding services and individuals served by DORS at the Workforce & Technology Center.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

Updated regulations reflect only clarifications of existing policy and practice regarding services and individuals served by DORS at the Workforce & Technology Center, and do not change the relationship or volume or purchases from small businesses.

G. Small Business Worksheet:

Attached Document:

Title 13A STATE BOARD OF EDUCATION

Subtitle 11 PROGRAMS FOR ADULTS WITH DISABILITIES

Chapter 08 Workforce and Technology Center

Authority: Education Article, §§21-301—21-304, Annotated Code of Maryland

.02 Definitions.

A. In these regulations, the following terms have the meanings indicated.

B. Terms Defined.

(1)—(27) (text unchanged)

(28) "Residential services" means the provision of room, board, recreation, and other support services in the dormitory of the Center[,] or the supported residence dormitory[, or the community living skills training program dormitory].

(29) —(31) (text unchanged)

.04 Admission Criteria.

A. —D. (text unchanged)

E. An applicant may be admitted for residential services in the:

(1) Supported residence dormitory (SRD) of the Center, if the admission committee, case manager, or residential supervisor determines that the applicant needs assistance with activities of daily living and/or requires supervision to be able to function in a residential setting; *or*

(2) Dormitory of the Center, if the admission committee or case manager determines that the applicant is independent in the applicant's activities of daily living and will be able to function in a residential setting with minimal supervision[; or

(3) Community living skills training (CLST) dormitory of the Center, if the admission committee or case manager determines that the applicant meets the standards for admission into the CLST program].

F. —H. (text unchanged)

.07 Services.

The Center shall provide the following services, depending on the needs of the client and the individualized program of services developed with the client:

A. —E. (text unchanged)

F. [Prevocational] *Work Readiness Services*;

G. (text unchanged)

H. Room, board, and [therapeutic] recreation;

I. —J. (text unchanged)

K. Special programs for clients including:

(1) (text unchanged)

(2) [Cognitive skills; and] *Autism Services*;

(3) Services for transitioning youth[.]; *and*

(4) *Deaf and Hard of Hearing Services*.

[.08 Service Plan.

A. Center services are provided consistent with the client's individualized plan for employment (IPE) developed in accordance with COMAR 13A.11.01.07. The case manager and the client may also develop and update, as necessary, an individualized, written service plan based on the request of the referral source. The service plan shall be developed upon the client's admission to the Center and may include the following:

(1) Rehabilitation goal established for the client;

(2) Specific service or program goals;

(3) Services to be provided or arranged for the client and the Center department responsible for delivering those services;

(4) Evaluation criteria used to assess the client's progress during the program of services;

(5) Client's stated goals, views, and comments regarding the plan of services;

(6) Documentation that the client's rights with respect to any service or program offered within the Division have been explained and that the means by which the client may express and seek remedy for any dissatisfaction, including access to the Client Assistance Program and the opportunity for an appeal hearing in accordance with COMAR 13A.11.07.03 have been explained; and

(7) Projected completion date and discharge planning information in accordance with the requirements of Regulation .09.

C. The requirements in this regulation may not be construed to hold the Division, the Center, or a program or service provider accountable if a client does not achieve the goals projected in the service plan.

D. The service plan and any amendments shall be signed by the client or the client's representative indicating that the:

(1) Service plan was jointly developed;

(2) Client agrees to the terms of the plan; and

(3) Client has been advised of rights and responsibilities associated with the provision or denial of services.

E. The case manager shall provide the client, the referral source, and, as appropriate, the client's representative with a copy of the service plan and any amendments made to it, in the format requested by the client.

F. The service plan shall be reviewed by the case manager periodically and documented in the client's record.]

[.09] .08 Discharge Planning.

A. —C. (text unchanged)

[.10] .09 Discharge.

A. —D. (text unchanged)

[.11] .10 Disciplinary Action.

A. (text unchanged)

B. Restrictions on Privileges. The case manager *and/or residential services staff, as appropriate*, may impose appropriate disciplinary actions involving restrictions on privileges and shall inform the client of the disciplinary action and the reasons for the action. The case manager *and/or residential services staff, as appropriate*, shall, in a timely manner, notify the referral source of the disciplinary action and reasons for the action.

C. —F. (text unchanged)

[.12] .11 Client Orientation.

A. (text unchanged)

B. The Center's [Consumer Handbook and] Admission Packet which includes the rules and regulations shall be presented in writing to the client during the admission process. The client or, as appropriate, the client and the client's representative, shall acknowledge receipt of a copy of the regulations and procedures associated with participation in a program of services at the Center by signing the document.

C. —D. (text unchanged)

E. The Center's [Consumer Handbook and] Admission Packet which includes the Consumer Bill of Rights shall be presented in writing to the client during the admission process. The client or, as appropriate, the client and the client's representative, shall acknowledge receipt of a copy of the Consumer Bill of Rights and confirm that they have been provided the opportunity for clarification of their rights at the Center and of the methods and procedures available to present a complaint, seek review or appeal of any decisions involving the provision or denial of services, or address any other matter which may be of concern while enrolled in the Center, by signing the document.

[.13] .12 Employment Skills Training.

A. —C. (text unchanged)

[.14] .13 Career Assessment Services.

A. —F. (text unchanged)

G. Based on referral information, *referral questions to be answered, questions from the person served*, the initial interview, *pre-evaluation assessment of potential modifications required to meet a person's specific needs*, and the stated purpose of the evaluation, a specific written evaluation plan shall be developed with each client which shall identify:

(1)—(4) (text unchanged)

H. (text unchanged)

[.15] .14 Medical Services.

(text unchanged)

[.16] .15 Records.

A. (text unchanged)

B. The record for each client shall include:

(1) —(4) (text unchanged)

[(5) Evaluation and progress reports from each Center department providing service;]

[(6)](5) —[(14)](13) (text unchanged)

C. —F. (text unchanged)

[.17] .16 Protection, Use, and Release of Personal Information.

A. —B. (text unchanged)

[.18] .17 Accreditation and Licensing.

A. —C. (text unchanged)

[.19] .18 Administrative Operations.

A. —F. (text unchanged)

