

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 60

(Delegate Guyton)

Ways and Means

Education, Energy, and the Environment

Rehabilitation Services - Disability - Definition

This bill, for purposes of identifying individuals eligible for rehabilitative services, alters the definition of “disability” to be any physical or mental impairment that constitutes or results in a substantial impediment to employment or independent living. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None. The bill alters the definition of “disability” to more closely conform to related definitions under the federal rehabilitation acts, as discussed below. The change is not anticipated to affect governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Under State law related to rehabilitative services, “disability” means any defect or infirmity that may incapacitate an individual totally or partially for gainful employment or independent living. The State Board of Education must cooperate with the appropriate federal agencies in administering the rehabilitation acts of the U.S. Congress and do what is necessary to secure the benefit of the rehabilitation acts.

Under 29, U.S. Code § 705, which pertains to vocational rehabilitation and other rehabilitation services, “individual with a disability” means an individual who (1) has a physical or mental impairment, which for such an individual constitutes or results in a

substantial impediment to employment; and (2) can benefit in terms of an employment outcome from specified vocational rehabilitation services.

Division of Rehabilitation Services

The Division of Rehabilitation Services (DORS) in the Maryland State Department of Education is generally responsible for efforts to rehabilitate and place in gainful employment individuals who are disabled and susceptible to rehabilitation and to rehabilitate individuals to function more independently. DORS is also responsible for providing a coordinated set of activities for transitioning students with a disability that promotes movement from school to postschool activities, including postsecondary education, vocational training, integrated employment, supported employment, adult services, independent living, and community participation.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2024
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