

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 185 (Senator M. Washington)
 Education, Energy, and the Environment

**Office of the Deaf and Hard of Hearing - Deafblind Co-Navigation Services
 Program - Established**

This bill establishes the Deafblind Co-Navigation Services Program in the Office of the Deaf and Hard of Hearing (ODHH) to provide “co-navigation services” to deafblind residents statewide. Co-navigation services must be provided at no cost to an individual receiving the service; however, ODHH may charge and accept payment from private or public insurers for co-navigation services provided by the program. Co-navigation services must be provided by an individual who has received training as a co-navigator. ODHH may adopt regulations to carry out the program. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: General fund expenditures increase by *at least* \$415,500 in FY 2025 for initial staff to administer the program and reimbursement for co-navigation services, as discussed below. Out-year expenditures reflect annualization and elimination of one-time costs. General fund revenues may increase, as discussed below.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
GF Revenue	-	-	-	-	-
GF Expenditure	\$415,500	\$542,800	\$546,900	\$551,200	\$555,600
Net Effect	(\$415,500)	(\$542,800)	(\$546,900)	(\$551,200)	(\$555,600)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Definitions

“Co-navigation services” means services provided to a deafblind individual (1) by providing visual and environmental information or sighted services to assist with communication accessibility; (2) in the individual’s preferred language and communication mode; and (3) to assist the individual with accessing their physical surroundings and making informed decisions regarding their surroundings. Co-navigation services do not include completing errands or providing personal care services for an individual; interpreting for an individual in a behavioral health, legal, medical, school, or other formal setting; making decisions for an individual; or teaching or instructing an individual.

“Communication mode” includes communication through (1) American Sign Language (better known as ASL) or signed English by both tactile and visual means; (2) auditory amplification, including an assistive learning device or a personal hearing aid; or (3) protactile language. “Protactile language” means a method of communication based on touch used by deafblind individuals.

Office of the Deaf and Hard of Hearing – Duties and Responsibilities

ODHH must ensure that the program provides quality services by (1) identifying funding sources for the program that will reduce its reliance on State funding; (2) monitoring the compliance of co-navigators with rules established by ODHH; and (3) providing, or funding and supporting, training programs for co-navigators providing services through the program and for deafblind individuals to facilitate their effective use of the services offered by the program.

ODHH must reimburse co-navigators who provide co-navigation services through the program and establish a tiered wage scale to compensate them. The tiered wage scale must account for a co-navigator’s level of (1) fluency and skill in communication modes and sighted guide-mobility for deafblind individuals and (2) training in communication modes and sighted guide-mobility techniques for deafblind individuals.

Advisory Committee

The director of ODHH may establish an advisory committee to advise the office on developing and operating the program. If an advisory committee is established, the director

may provide for its size and membership; the advisory committee must include deafblind individuals and other stakeholders.

Current Law: “Deafblind” means those residents of Maryland who have concomitant vision and hearing loss.

Office of the Deaf and Hard of Hearing

ODHH was established in 2001 to promote the general welfare of deaf and hard of hearing individuals in the State. ODHH must fulfill the following duties and responsibilities:

- provide, advocate, and coordinate the adoption of public policies, regulations, and programs that will benefit deaf and hard of hearing individuals;
- improve access to communication and to existing services and programs for deaf and hard of hearing individuals;
- provide direct services to deaf and hard of hearing individuals, as appropriate;
- increase public awareness of the needs and issues affecting deaf and hard of hearing individuals;
- work with State and local agencies to ensure access for deaf and hard of hearing individuals to safety and emergency services;
- develop a referral service for deaf and hard of hearing individuals;
- serve as an information clearinghouse on the needs and issues affecting deaf and hard of hearing individuals;
- increase access for deaf and hard of hearing individuals to educational, health, and social opportunities;
- work with private organizations, the federal government, and other units of State government to promote economic development for deaf and hard of hearing individuals;
- work to eliminate the underemployment and unemployment of deaf and hard of hearing individuals;
- provide a network through which services provided by State and federal programs serving deaf and hard of hearing individuals can be channeled; and
- promote compliance with State, local, and federal laws and policies protecting and serving deaf and hard of hearing individuals.

ODHH must also comply with specified reporting requirements. Each year, the Director of ODHH must submit a report to the Governor and the General Assembly on (1) the activities of the office; (2) the status of programs and services facilitated by the office; (3) the activities of the State Board of Sign Language Interpreters, as specified; (4) statistics on compliance with State and federal laws related to deaf and hard of hearing individuals; and

(5) recommendations for improved delivery of services for deaf and hard of hearing individuals.

Maryland Sign Language Interpreters Act

Chapters 269 and 270 of 2023 established a licensing and regulatory system for sign language interpreters in Maryland through the creation of the State Board of Sign Language Interpreters within ODHH. By July 1, 2024, the board must establish and publish licensing requirements for sign language interpreting in all settings; beginning January 1, 2025, an individual must be licensed by the board before providing sign language interpretation services in the State.

State Revenues: General fund revenues may increase beginning as early as fiscal 2025 if ODHH is able to obtain funding for the program from other sources. ODHH advises that it needs time to research and identify potential outside revenue sources for the program.

Additionally, general fund revenues increase to the extent that ODHH charges private or public insurers for co-navigation services delivered under the program. Any such revenues cannot be reliably estimated.

State Expenditures: ODHH advises that establishing the Deafblind Co-Navigation Services Program as a standalone program within ODHH is a major undertaking that would require significant resources and staffing. However, ODHH did not provide an estimate of the full cost for the office to implement the program.

At a minimum, ODHH would require at least one full-time program manager to begin development of and oversee the program. Costs would also be incurred to reimburse co-navigators for providing co-navigation services under the program. ODHH projects that at least 50 deafblind State residents would seek co-navigation services each month. Individuals would require an average of 20 hours of co-navigation services per month. ODHH conducted market research and determined that the average rate for a co-navigator is between \$30 and \$45 per hour. Using a median rate of \$37.50 per hour, the cost to reimburse for 20 hours of co-navigation services per month for 50 deafblind individuals would be \$37,500 per month (\$450,000 per year).

Accordingly, general fund expenditures increase by *at least* \$415,508 in fiscal 2025 for ODHH to hire a full-time program manager to oversee the development and initial implementation of the program and to reimburse for co-navigation services (at a cost of \$37,500 per month) beginning October 1, 2024. This estimate accounts for a 90-day start-up delay following the bill's July 1, 2024 effective date. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Reimbursement for Co-Navigation Services	\$337,500
Salary and Fringe Benefits	70,752
Operating Expenses	7,256
FY 2025 State Expenditures	\$415,508

Future year expenditures reflect a full salary with an annual increase and employee turnover, termination of one-time costs, and ongoing operating expenses.

This estimate does not reflect the cost (or the potential number of additional personnel needed) to identify individuals to provide co-navigation services and ensure that they have received appropriate training, monitor the compliance of co-navigators, provide training programs, establish a process for reimbursement and financial oversight of payments, or seek payment from insurers for co-navigation services. Furthermore, to the extent that the number of deafblind individuals statewide that require co-navigation services increases, the cost of the program increases significantly. For example, to the extent the number of individuals receiving services grows to 100, annual costs for reimbursement of services alone increase to \$900,000.

Additional Comments: ODHH advises that it would prefer to issue grants to community-based organizations throughout the State to provide co-navigation services to the deafblind community. ODHH envisions providing general oversight and management of the program, while delegating day-to-day operations to partner organizations.

According to the National Center on Deaf-Blindness, there are more than 10,000 children and youth who have been identified as deafblind. In a 2008 study, the National Consortium on Deaf-Blindness estimated that approximately 40,000 adults in the United States are deafblind. However, the Helen Keller National Center for DeafBlind Youths and Adults points out that there are broad discrepancies in how the term “deafblind” is defined and how data is collected about deafblind individuals. The center has noted, for example, that the U.S. Census Bureau’s 2019 American Community Survey found that approximately 2.5 million Americans have combined hearing and vision loss.

Additional Information

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

Designated Cross File: HB 98 (Delegate Kaufman, *et al.*) - Appropriations.

Information Source(s): Maryland School for the Deaf; Office of the Deaf and Hard of Hearing; Department of Legislative Services

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rh/jc

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