

Department of Legislative Services
 Maryland General Assembly
 2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 853
 Finance

(Senator Young, *et al.*)

Health and Government Operations

Ethan Saylor Alliance for Self-Advocates as Educators

This bill establishes the Ethan Saylor Alliance for Self-Advocates as Educators within the Department of Disabilities (MDOD). The purpose of the alliance is to advance the “community inclusion” of individuals with intellectual disabilities and developmental disabilities by preparing and supporting self-advocates to play a central role in educating others, particularly law enforcement, about appropriate and effective interactions with individuals with intellectual disabilities and developmental disabilities.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: General fund expenditures increase by \$75,000 in FY 2016 for MDOD to establish and fulfill the purpose of the alliance. Future year expenditures assume continued funding of the alliance through MDOD, with no expansion of the scope of the alliance, and reflect inflation. Revenues are not affected.

(in dollars)	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	75,000	75,800	76,500	77,300	78,000
Net Effect	(\$75,000)	(\$75,800)	(\$76,500)	(\$77,300)	(\$78,000)

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

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill defines “community inclusion” as circumstances in which individuals with intellectual disabilities and developmental disabilities are welcomed, supported, and included in all aspects of society.

Ethan Saylor Alliance for Self-Advocates as Educators

The alliance must be guided by a steering committee and is to build on the work of the Commission for Effective Community Inclusion of Individuals with Intellectual and Developmental Disabilities by prioritizing the training of law enforcement officers. The alliance must connect law enforcement trainers with self-advocate educators or entities that use self-advocate educators in a central role when providing training. The alliance must also identify and support the development of self-advocate educators, identify resources needed to prepare and support self-advocate educators, and promote collaborative efforts that support community inclusion.

Steering Committee

The alliance’s steering committee consists of 13 members including 4 State officials or their designees; 3 representatives of specified organizations; 2 representatives of community-based organizations that support people with intellectual disabilities and developmental disabilities; and 4 members of the public with knowledge of intellectual disabilities and developmental disabilities, including at least 2 self-advocates and a family member of an individual with an intellectual disability or developmental disability, each appointed by the Secretary for Developmental Disabilities.

Committee members appointed by the Secretary serve for three-year terms and continue to serve until a successor is appointed and qualifies. A member may be reappointed.

Members may not receive compensation but are entitled to reimbursement for expenses under standard State travel regulations.

The steering committee is required to (1) develop parameters for the alliance, including expected outcomes and methods of evaluation; (2) select entities to operate the alliance through a competitive process; (3) provide general oversight; (4) approve the budget; (5) review the alliance’s activities and outcomes; and (6) develop recommendations for the sustainability and expansion of the alliance, including the costs of sustaining and expanding the alliance, potential sources of funding, and compensation and supports for self-advocate educators.

Funding

The alliance is to be supported by appropriations made in the annual State budget; any grants or other assistance from federal, State, or local government; and any other grants or donations to the alliance. The operation of the alliance is subject to the limitations of the State budget.

Current Law/Background: Self-advocates are people with intellectual disabilities or developmental disabilities who communicate their own interests and rights.

Though no existing State entity is tasked with addressing the issues addressed by the alliance, other State agencies, boards, commissions, and committees have been established to address, among other things, the needs of individuals with intellectual disabilities or developmental disabilities. MDOD evaluates programs and services for Maryland citizens with disabilities, coordinates and supports public and private agencies serving people with disabilities, provides information and referrals, and identifies and recommends ways to improve services. The Interagency Disabilities Board was established to develop the State Disabilities Plan. The State Disabilities Plan must address, among other specified elements, the coordination of support services that address the improvement of communities' capacity to support individuals with disabilities with personal attendant care and other self-directed long-term care options. The Maryland Commission on Disabilities advises MDOD, reviews statewide programs for persons with disabilities, and fosters coordination and support for these programs. The Personal Assistance Services Advisory Committee advises MDOD on personal care, attendant care, and home care services.

In September 2013, Governor O'Malley established, by executive order, the Commission for Effective Community Inclusion of Individuals with Intellectual and Developmental Disabilities in part as a response to the death of Maryland resident Ethan Saylor. Robert Ethan Saylor, who had Down's Syndrome, died January 12, 2013, at the age of 26 after an altercation with off-duty Frederick County sheriff's deputies in a movie theater.

The commission was tasked with (1) developing and issuing recommendations about the types of policies, guidelines, or best practices that Maryland should adopt regarding law enforcement officials, paramedics, and other first-responders' responses to situations involving individuals with intellectual and developmental disabilities; (2) developing and issuing recommendations about the types of statewide training standards that Maryland should adopt to educate individuals in positions of authority about the best approaches for safely managing situations involving individuals with intellectual and developmental disabilities; and (3) developing a coordinated, collaborative and comprehensive strategy for State and local officials, disabilities advocates, and other interested parties to ensure enhanced responses to situations involving individuals with intellectual and developmental disabilities as well as other related matters as necessary.

The commission submitted its report on December 3, 2014, which included four recommendations. Among them, the commission recommended that the State establish a new center to support the coordination and preparation of self-advocates who can become active educators in training programs in various sectors across the State. The commission recommended that the new center be an independent unit of State government, housed at a university, with a governing board that includes stakeholders from within and outside the government. The commission recommended further that the governing board develop an implementation plan, provide oversight, and establish the budget. This bill implements, in a modified form, some of the commission's recommendations.

The commission also recommended that the center be named in honor of Ethan Saylor and that the functions of the center include but not be limited to:

- working with existing disability organizations to identify individuals with intellectual and developmental disabilities who would like to be trainers and have a certain set of core skills;
- arranging for people with intellectual and developmental disabilities to participate in existing training programs;
- providing the necessary training and support for people with intellectual and developmental disabilities to meaningfully participate as trainers;
- providing coordinating support services for self-advocates, including transportation, support staff, payment of expenses and compensation for training activities; and
- identifying best practices for training on how to interact with individuals with intellectual and developmental disabilities.

State Expenditures: General fund expenditures increase by \$75,000 in fiscal 2016, which accounts for the bill's July 1, 2015 effective date. The estimate includes \$5,175 to cover the anticipated cost of supporting steering committee meetings, which are expected to require the creation of accessible meeting documents, as well as other costs associated with the needs of committee members, such as reimbursements for members who use specialty disability transportation services. The estimate includes \$69,825 for contractual services to select entities, through a competitive process, to operate and fulfill the purpose of the alliance, including to train self-advocate educators and to evaluate the results.

Contractual Services	\$69,825
Committee Reimbursement/Meeting Costs	<u>5,175</u>
Total FY 2016 State Expenditures	\$75,000

Future year expenditures assume ongoing use of State funds to support the alliance and reflect ongoing use of contractual services, committee reimbursement and related meeting costs, and inflation. However, any costs related to the expansion of the alliance have not been factored into future year estimates.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Disabilities; Commission for Effective Inclusion of Individuals with Intellectual and Developmental Disabilities; Department of Business and Economic Development; Department of Budget and Management; Department of Human Resources; Maryland State Department of Education; Maryland Institute for Emergency Medical Services Systems; Governor’s Office; Maryland Higher Education Commission; Department of Health and Mental Hygiene; Judiciary (Administrative Office of the Courts); Department of Labor, Licensing, and Regulation; Department of State Police; Office of the Public Defender; Department of Public Safety and Correctional Services; University System of Maryland; Department of Legislative Services

Fiscal Note History: First Reader - March 24, 2015
 md/ljm Revised - Senate Third Reader - April 8, 2015

Analysis by: Nathan W. McCurdy
 and Jason A. Kramer

Direct Inquiries to:
 (410) 946-5510
 (301) 970-5510