

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 851

(Senator Kagan)

Finance

Health and Government Operations

Human Services – Department of Disabilities – Accessibility Programs

This bill transfers the Telecommunications Access of Maryland (TAM) program and the Universal Services Trust Fund (USTF) from the Department of Information Technology (DoIT) to the Maryland Department of Disabilities (MDOD). The bill also (1) expands the membership of the Maryland Commission on Disabilities; (2) expands the membership of the Governor’s Advisory Board for Telecommunications Relay and requires MDOD to provide the board with a director, as specified; and (3) expands existing responsibilities for the Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals program. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: The bill has no net effect on State operations or finances, as discussed below.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: TAM must provide a system for eligible participants in the Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals program who cannot access telecommunications relay services in a traditional manner so that they may obtain communication facilitators or related support services.

The bill makes a series of conforming changes, broadly requiring MDOD and the Secretary of Disabilities to administer TAM and USTF instead of DoIT and the Secretary of Information Technology.

Current Law/Background:

Maryland Department of Disabilities

MDOD is responsible for identifying, analyzing, and evaluating all programs and services for disabled citizens in the State. The department collects information, provides support to public and private agencies as well as units of State government, and acts as an information referral service. The department also operates several programs to assist individuals with disabilities. These programs include:

- the Housing Transition Program, which provides small grants to Maryland Centers for Independent Living serving people with disabilities who are transitioning to independent affordable and accessible housing;
- the Attendant Care Program, which provides reimbursement to individuals with chronic or severe physical disabilities for attendant services; and
- the Access Maryland Program, which provides funding to State agencies and public higher education institutions to bring facilities into compliance with federal accessibility requirements.

Universal Services Trust Fund and Technology Access of Maryland

In collaboration with the Governor's Advisory Board for Telecommunications Relay, TAM provides telephone access and other services for persons with certain disabilities. Specifically, TAM administers the Maryland Relay Service and the Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals program.

USTF pays for TAM, the Maryland Relay Service, the Senior Call-Check Service and Notification Program, and additional services and equipment for persons with disabilities. The Comptroller collects fees for this purpose through a surcharge, determined by the Public Service Commission (PSC), on individuals' phone bills. Chapters 571 and 572 of 2012 expanded the services to which the fee applies to include cellular, wireless, and Voice-over-Internet-Protocol services while reducing the maximum monthly account fee from 45 cents to 18 cents. PSC must annually set the surcharge for the following fiscal year at an amount that is no higher than necessary to generate sufficient revenues to fund the costs of the programs for the following fiscal year, given the current fund balance. The current fee is set at 5 cents per month.

State Fiscal Effect: Although not specified in the bill, this analysis assumes that all positions, fund balances, and equipment associated with the affected programs (TAM and USTF) also transfer from DoIT to MDOD. TAM currently employs one accountant, one program manager, and four administrative staff. Its projected expenditures for fiscal 2021 total \$4.0 million; however, in recent years, its expenditures have ranged from \$3.3 million to \$4.5 million based on the number of participants in TAM's programs and the level of services and amount of equipment provided for those participants. USTF, which funds TAM's programs and activities, accrues about \$2.7 million annually and currently has a fund balance of \$13.6 million.

Otherwise, the bill generally codifies TAM's existing practices or establishes responsibilities that can be handled using existing budgeted resources. Moving costs for TAM are assumed to be minimal and absorbable within existing resources. Thus, the bill has no net effect on State finances.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 1003 (Delegate Barron) - Health and Government Operations.

Information Source(s): Department of Information Technology; Maryland Department of Disabilities; Deaf and Hard of Hearing; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2020
an/mcr Third Reader - March 16, 2020

Analysis by: Richard L. Duncan

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