

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 870

(Delegate Guyton)

Health and Government Operations

Finance

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Division of Rehabilitation Services and Developmental Disabilities  
Administration - Memorandum of Understanding

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This bill requires the Division of Rehabilitation Services (DORS) in the Maryland State Department of Education (MSDE) and the Developmental Disabilities Administration (DDA) within the Maryland Department of Health (MDH) to enter into a memorandum of understanding (MOU) that includes a data sharing agreement for the medical and psychological records of mutual clients in order to expedite decisions regarding eligibility for services. Records involved in the MOU include medical documentation, psychological information, school documentation, and other relevant records. **The bill takes effect July 1, 2023.**

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Fiscal Summary

**State Effect:** None. MDH and MSDE finances are not substantially affected, as discussed below.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** DORS 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 provision of 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.

DDA provides a coordinated service delivery system for people with developmental disabilities. Approximately 98% of individuals served through DDA receive community-based services in one of three waiver programs under Medicaid. Through the Community Pathways, Community Supports, and Family Supports waiver programs, DDA receives a 50% federal match to provide approved services to enrolled individuals.

**State Fiscal Effect:** MSDE advises that DDA and DORS are currently revising an existing MOU and that the draft MOU includes a section on sharing records and data between DDA and DORS. Thus, MSDE anticipates no fiscal or operational effect under the bill.

MDH similarly anticipates that the bill's requirement can be implemented via a revision of the existing MOU and anticipates that the bill can be handled using existing resources. MDH anticipates enhanced efficiencies in its operations as a result of incorporating the bill's requirements into the MOU between DDA and DORS.

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### **Additional Information**

**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; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2023  
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