

SENATE BILL 1027

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5lr3626
CF HB 1244

By: **Senator Lewis Young**

Introduced and read first time: February 6, 2025

Assigned to: Rules

Re-referred to: Finance, March 11, 2025

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Developmental Disabilities Administration Waiver Advisory Council –**
3 **Establishment**

4 FOR the purpose of establishing the Maryland Developmental Disabilities Administration
5 Waiver Advisory Council to advise and provide recommendations to the
6 Developmental Disabilities Administration on system design, service delivery, and
7 quality enhancement strategies for the Medicaid waiver programs operated by the
8 Administration; and generally relating to the Maryland Developmental Disabilities
9 Administration Waiver Advisory Council.

10 BY adding to

11 Article – Health – General

12 Section 7–12B–01 through 7–12B–05 to be under the new subtitle “Subtitle 12B.
13 Maryland Developmental Disabilities Administration Waiver Advisory
14 Council”

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2024 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **SUBTITLE 12B. MARYLAND DEVELOPMENTAL DISABILITIES ADMINISTRATION**
2 **WAIVER ADVISORY COUNCIL.**

3 **7-12B-01.**

4 **IN THIS SUBTITLE, “COUNCIL” MEANS THE MARYLAND DEVELOPMENTAL**
5 **DISABILITIES ADMINISTRATION WAIVER ADVISORY COUNCIL.**

6 **7-12B-02.**

7 **(A) THERE IS A MARYLAND DEVELOPMENTAL DISABILITIES**
8 **ADMINISTRATION WAIVER ADVISORY COUNCIL IN THE ADMINISTRATION.**

9 **(B) THE PURPOSE OF THE COUNCIL IS TO:**

10 **(1) ADVISE AND PROVIDE RECOMMENDATIONS TO THE**
11 **ADMINISTRATION ON SYSTEM DESIGN, SERVICE DELIVERY, AND QUALITY**
12 **ENHANCEMENT STRATEGIES FOR THE MEDICAID WAIVER PROGRAMS OPERATED BY**
13 **THE ADMINISTRATION; AND**

14 **(2) FOSTER MEANINGFUL ENGAGEMENT AND ESTABLISH A**
15 **FEEDBACK LOOP WITH ALL STAKEHOLDERS WHILE PRIORITIZING INPUT FROM**
16 **INDIVIDUALS WITH LIVED EXPERIENCE WITH A MEDICAID WAIVER PROGRAM.**

17 **(C) THE COUNCIL SHALL ADHERE TO PERSON-CENTERED THINKING,**
18 **DIVERSITY, EQUITY, AND INCLUSION PRINCIPLES, AND EVIDENCE-BASED AND**
19 **DATA-DRIVEN DISCUSSION AND PROBLEM SOLVING.**

20 **7-12B-03.**

21 **(A) (1) THE COUNCIL CONSISTS OF THE FOLLOWING VOTING MEMBERS,**
22 **APPOINTED BY THE SECRETARY OF HEALTH:**

23 **(i) ~~18~~ 21 INDIVIDUALS WITH LIVED EXPERIENCE**
24 **PARTICIPATING IN AN ADMINISTRATION PROGRAM THAT SHALL INCLUDE:**

25 **1. REPRESENTATIVES FROM ADVOCACY GROUPS FOR**
26 **INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; AND**

27 **2. EQUAL REPRESENTATION FROM INDIVIDUALS WHO**
28 **HAVE EXPERIENCED SELF-DIRECTED DELIVERY MODELS AND INDIVIDUALS WHO**
29 **HAVE EXPERIENCED TRADITIONAL DELIVERY MODELS;**

1 (II) TWO LICENSED PROVIDERS OF RESIDENTIAL AND DAY
2 SERVICES;

3 (III) TWO CERTIFIED PROVIDERS OF SERVICES INCLUDING
4 EMPLOYMENT, PERSONAL SUPPORT, TECHNOLOGY, AND TRANSPORTATION;

5 (IV) ~~ONE~~ TWO COORDINATION OF COMMUNITY SERVICES
6 ~~PROVIDER~~ PROVIDERS;

7 (V) ONE FINANCIAL MANAGEMENT AND COUNSELING SERVICES
8 PROVIDER;

9 (VI) ONE REPRESENTATIVE OF AN ETHNIC ADVOCACY GROUP IN
10 THE STATE;

11 (VII) ONE REPRESENTATIVE OF THE MARYLAND CENTER FOR
12 DEVELOPMENTAL DISABILITIES;

13 (VIII) ONE REPRESENTATIVE OF THE MARYLAND
14 DEVELOPMENTAL DISABILITIES COUNCIL;

15 (IX) ONE REPRESENTATIVE OF THE SELF-DIRECTED
16 ADVOCACY NETWORK OF MARYLAND;

17 (X) ONE REPRESENTATIVE OF THE PARENTS' PLACE OF
18 MARYLAND;

19 (XI) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION
20 OF COMMUNITY SERVICES;

21 (XII) ONE REPRESENTATIVE OF THE ARC MARYLAND;

22 (XIII) ONE REPRESENTATIVE OF THE MARYLAND COUNCIL OF
23 SUPPORT BROKERS;

24 (XIV) ONE REPRESENTATIVE OF SERVICE COORDINATION, INC.;

25 ~~(XV)~~ (XV) THREE FAMILY MEMBERS WITH EXPERIENCE WITH
26 SELF-DIRECTED SERVICES; AND

27 ~~(XVI)~~ (XVI) THREE FAMILY MEMBERS WITH EXPERIENCE WITH
28 TRADITIONAL SERVICES.

1 **(2) THE COUNCIL CONSISTS OF THE FOLLOWING NONVOTING**
2 **MEMBERS:**

3 **(I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED**
4 **BY THE PRESIDENT OF THE SENATE;**

5 **(II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED**
6 **BY THE SPEAKER OF THE HOUSE;**

7 **(III) THE DIRECTOR OF FEDERAL PROGRAMS AND INTEGRITY**
8 **IN THE ADMINISTRATION;**

9 **(IV) ONE REPRESENTATIVE OF THE DEPARTMENT OF**
10 **DISABILITIES, DESIGNATED BY THE SECRETARY OF DISABILITIES;**

11 **(V) ONE REPRESENTATIVE OF THE DEPARTMENT OF HOUSING**
12 **AND COMMUNITY DEVELOPMENT, DESIGNATED BY THE SECRETARY OF HOUSING**
13 **AND COMMUNITY DEVELOPMENT;**

14 **(VI) ONE REPRESENTATIVE OF THE DEPARTMENT OF HUMAN**
15 **SERVICES, DESIGNATED BY THE SECRETARY OF HUMAN SERVICES;**

16 **(VII) ONE REPRESENTATIVE OF THE DIVISION OF**
17 **REHABILITATION SERVICES IN THE STATE DEPARTMENT OF EDUCATION,**
18 **DESIGNATED BY THE STATE SUPERINTENDENT OF SCHOOLS;**

19 **(VIII) THE FOLLOWING MEMBERS, DESIGNATED BY THE**
20 **SECRETARY OF HEALTH:**

21 1. **ONE REPRESENTATIVE OF THE OFFICE OF LONG**
22 **TERM SERVICES AND SUPPORTS;**

23 2. **ONE REPRESENTATIVE OF THE BEHAVIORAL**
24 **HEALTH ADMINISTRATION;**

25 3. **ONE REPRESENTATIVE OF THE OFFICE OF HEALTH**
26 **CARE QUALITY;**

27 4. **ONE REPRESENTATIVE OF THE ELIGIBILITY**
28 **DETERMINATION DIVISION OF THE OFFICE OF ELIGIBILITY SERVICES; AND**

29 5. **ONE REPRESENTATIVE OF THE MARYLAND LONG**
30 **TERM SERVICES AND SUPPORT SYSTEM PROGRAM MANAGEMENT OFFICE; AND**

1 (IX) THE FOLLOWING MEMBERS, APPOINTED BY THE
2 SECRETARY OF HEALTH:

3 1. ONE REPRESENTATIVE OF THE NATIONAL
4 ASSOCIATION OF STATE DIRECTORS OF DEVELOPMENTAL DISABILITIES SERVICES;
5 AND

6 2. ONE REPRESENTATIVE OF APPLIED
7 SELF-DIRECTION.

8 ~~(3) THE LICENSED OR CERTIFIED PROVIDERS ON THE COUNCIL~~
9 ~~SHALL INCLUDE REPRESENTATIVES FROM EACH REGION AND FROM THE~~
10 ~~MARYLAND ASSOCIATION OF COMMUNITY SERVICES AND THE ARC OF MARYLAND.~~

11 ~~(4)~~ (3) FAMILY MEMBERS APPOINTED TO THE COUNCIL SHALL
12 INCLUDE AT LEAST ONE FAMILY MEMBER FROM EACH REGION.

13 ~~(5)~~ (4) THE ADMINISTRATION SHALL ESTABLISH AN APPLICATION
14 PROCESS AND REVIEW PROCESS FOR MEMBERS WHO WISH TO SERVE ON THE
15 COUNCIL.

16 ~~(6)~~ (5) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
17 COUNCIL SHALL REFLECT THE GENDER, RACIAL, ETHNIC, AND GEOGRAPHICAL
18 DIVERSITY OF THE STATE.

19 (B) (1) THE TERM OF A MEMBER IS 3 YEARS.

20 (2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
21 TERMS PROVIDED FOR THE MEMBERS OF THE COUNCIL ON OCTOBER 1, 2025.

22 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL
23 A SUCCESSOR IS APPOINTED AND QUALIFIES.

24 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES
25 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND
26 QUALIFIES.

27 (5) A MEMBER MAY NOT SERVE CONSECUTIVE TERMS BUT MAY SERVE
28 FOR MULTIPLE NONCONSECUTIVE TERMS.

29 (C) (1) THE DIRECTOR OF FEDERAL PROGRAMS SHALL SERVE AS A
30 NONVOTING COCHAIR.

31 (2) THE COUNCIL SHALL VOTE FOR THE ADDITIONAL COCHAIR.

1 **(D) (1) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE COUNCIL.**

2 **(2) THE DEPARTMENT SHALL INCLUDE A DEDICATED COUNCIL**
3 **WEBPAGE ON THE DEPARTMENT'S WEBSITE THAT INCLUDES MEETING DATES AND**
4 **TIMES, AGENDAS AND OTHER MEETING DOCUMENTS, AND RECORDED PAST**
5 **MEETINGS OF THE COUNCIL.**

6 **(E) A MEMBER OF THE COUNCIL:**

7 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
8 **COUNCIL; BUT**

9 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
10 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

11 **(F) THE COUNCIL MAY PROVIDE TRAVEL ARRANGEMENTS, AS NECESSARY,**
12 **FOR MEMBERS OF THE COUNCIL WITH DISABILITIES.**

13 **7-12B-04.**

14 **(A) (1) THE COUNCIL SHALL MEET ONCE EVERY 2 MONTHS IN A**
15 **LOCATION THAT IS MADE PUBLICLY AVAILABLE AT LEAST 2 WEEKS BEFORE THE**
16 **MEETING.**

17 **(2) THE COUNCIL MAY HOLD ADDITIONAL MEETINGS IF DETERMINED**
18 **NECESSARY BY THE COCHAIRS.**

19 **(3) MEETINGS OF THE COUNCIL SHALL:**

20 **(I) BE OPEN TO THE PUBLIC AND RECORDED BY VIDEO;**

21 **(II) FOLLOW AGENDAS THAT ARE DISTRIBUTED AT LEAST 1**
22 **WEEK BEFORE THE MEETING TO COUNCIL MEMBERS BY E-MAIL;**

23 **(III) CONCLUDE WITH A CLEAR UNDERSTANDING OF**
24 **EXPECTATIONS AND ASSIGNMENTS FOR FUTURE STEPS;**

25 **(IV) PROVIDE ACCOMMODATIONS FOR INDIVIDUALS WITH**
26 **DISABILITIES; AND**

27 **(V) INCLUDE TIME FOR PUBLIC COMMENT AFTER MEETING**
28 **AGENDA ITEMS HAVE BEEN ADDRESSED.**

1 **(4) A MEETING OF THE COUNCIL MAY BE HELD VIRTUALLY IF**
2 **DETERMINED NECESSARY BY THE COCHAIRS.**

3 **(5) THE COUNCIL SHALL PROVIDE NOTICE OF ITS MEETINGS BY**
4 **E-MAIL TO MEMBERS AT LEAST 1 WEEK BEFORE THE MEETING AND SHALL INCLUDE**
5 **AN AGENDA AND ANY DOCUMENTS TO BE REVIEWED FOR THE MEETING.**

6 **(6) THE COUNCIL SHALL DISTRIBUTE MEETING MINUTES TO**
7 **MEMBERS WITHIN 2 WEEKS AFTER EACH COUNCIL MEETING.**

8 **(B) THE COUNCIL MAY FORM WORKGROUPS THAT MAY MEET AS DIRECTED**
9 **BY THE COCHAIRS.**

10 **(C) THE COUNCIL SHALL ESTABLISH A CODE OF CONDUCT FOR COUNCIL**
11 **MEETINGS.**

12 **7-12B-05.**

13 **(A) THE COUNCIL SHALL PROVIDE ADVICE AND MAKE RECOMMENDATIONS**
14 **TO THE ADMINISTRATION ON:**

15 **(1) ADMINISTRATION-OPERATED MEDICAID WAIVER PROGRAM**
16 **SYSTEM DESIGN, INCLUDING WAIVER APPLICATION REGULATIONS AND POLICIES;**

17 **(2) SERVICE DELIVERY AND ACCESS TO SERVICES;**

18 **(3) FEDERAL WAIVER ASSURANCES;**

19 **(4) ENSURING ACCESS TO MEDICAID SERVICES;**

20 **(5) QUALITY ENHANCEMENT EFFORTS AND IMPROVEMENT**
21 **STRATEGIES;**

22 **(6) COMMUNICATION WITH STAKEHOLDERS, INCLUDING A**
23 **TRANSPARENT FEEDBACK PROCESS; AND**

24 **(7) COLLABORATIVE PROCESSES WITH STAKEHOLDERS.**

25 **(B) (1) THE COUNCIL SHALL VOTE ON THE ADVICE AND**
26 **RECOMMENDATIONS TO PROVIDE TO THE ADMINISTRATION UNDER SUBSECTION (A)**
27 **OF THIS SECTION.**

28 **(2) THE COUNCIL SHALL ATTEMPT TO REACH CONSENSUS AND ALL**
29 **MEMBERS SHALL BE AFFORDED AN OPPORTUNITY TO BE HEARD.**

1 **(3) IF CONSENSUS CANNOT BE REACHED ON A PARTICULAR ISSUE,**
2 **THE COUNCIL MAY VOTE WITH A 75% AGREEMENT THRESHOLD.**

3 **(4) (I) A COUNCIL MEMBER MAY NOT VOTE ON ANOTHER**
4 **MEMBER’S BEHALF.**

5 **(II) A COUNCIL MEMBER MAY DESIGNATE A PROXY FOR THE**
6 **MEMBER.**

7 **(III) A COUNCIL MEMBER’S PROXY MAY VOTE ON BEHALF OF A**
8 **MEMBER ONLY IF THE PROXY IS ATTENDING THE MEETING FOR THE MEMBER.**

9 **(IV) A COUNCIL MEMBER’S PROXY MAY NOT VOTE ON BEHALF OF**
10 **THE PROXY.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial voting
12 members of the Maryland Development Disabilities Administration Waiver Advisory
13 Council shall expire as follows:

14 (1) ~~18~~ 22 members in 2027; and

15 (2) ~~17~~ 21 members in 2028.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.