



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland

Health and Government Operations Committee

HB 318: Public Health- Developmental Disabilities Administration- Self-Directed Services (Self-Direction Act)

January 26, 2021

Position: Support



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The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for Marylanders with intellectual and developmental disabilities (IDD). As such, the DD Coalition supports HB 318.



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Background: Today, a growing number of people with IDD are choosing to direct the supports and services they receive in the community through the Developmental Disabilities Administration (DDA). This means that people with disabilities, with support from their families and others, as needed, take responsibility for managing their services, including choosing, hiring, and supervising the people who provide their direct support. In this way, self-direction allows a person to be the architect of their services—it increases a person's self-determination by empowering them to make fundamental decisions about how and from whom they receive supports.



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In 2005, the state of Maryland worked with people with IDD, families, and other advocates to create a waiver pilot program under which people with IDD self-directed the funding they received from the DDA for their needed supports. By allowing people with IDD to make funding decisions about services and supports, it gave them more choice and control over what services they received. Individuals in the initial pilot reported remarkable improvements in quality of supports and quality of life. What started as the "New Directions" waiver pilot, became the DDA self-directed services option available through the Community Pathways, Community Supports, and the Family Supports Medicaid waivers in Maryland.



Maryland Developmental Disabilities Council

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Over time; however, self-directed service definitions and the structure of the program changed significantly through waiver amendments. While some of these changes were necessary to improve oversight, many of these changes have altered and complicated the program's successes. Some service options were eliminated; allowable expenses for services and supports were restructured; and, many of the duties that Support Brokers – people designated by the person with IDD to assist with the coordination of self-directed services – were eliminated.



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WHY is this legislation important?

The intention of this bill is to restore and preserve the principles of self-direction envisioned in Maryland.

- All people with disabilities, regardless of their physical or intellectual capacity, should be empowered to self-direct their services and to receive assistance to do so from people they choose, hire, and trust.

- Self-Directed service options should be flexible to meet the needs of the individual to meaningfully live, learn, work, play, and worship as the person chooses.

WHAT does this legislation do?

- This bill establishes a State Advisory Council on Self-Directed Services to preserve the principles of self-direction in DDA services and supports. Stakeholder members would include people who self-direct their services, their parents, Department personnel, and others integral to the development and maintenance of a responsive system of self-directed supports.
- The purpose of the Advisory Council is to examine, monitor, and make recommendations regarding the provision and delivery of self-directed services, to ensure that they operate efficiently, effectively, and empower people with IDD.
- The bill also restores some definitions that were changed in waiver amendments to their former forms, including who people with IDD may hire as staff and many of the roles of the support broker. It also enables the support broker to take on new responsibilities, including in certain circumstances, acting as a person's designated representative for the person receiving services. In light of these changes, we believe that State Advisory Council should be utilized to develop safeguards to address any conflicts of interest that may arise in these circumstances and to ensure that people with IDD continue to have choice over their use of support brokers.

The DD Coalition strongly believes that everyone with an intellectual and/or developmental disability should have the option to self-direct their services, and have access to any support necessary to be successful in doing so. We support House Bill 318, which will enable more people to take responsibility for managing their services and will create a statewide advisory council to address issues that arise in the provision of these services.

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