

SB0061 Testimony - Fox.pdf

Uploaded by: Fox, Teresa

Position: FAV

January 26, 2021

Good morning Chair, Vice Chair, and all members of the Judicial Proceedings Committee,

I am writing you today as a board member of a local non-profit called Dreams For Kids DC (DFKDC) to urge you to vote favorably for the SB0061 bill for adult changing facilities in public buildings.

Our non-profit puts on special events for children with intellectual and developmental disabilities in the Maryland, DC, and Virginia areas. These events allow children to interact with their peers, meet their heroes when we partner with local sports teams, and learn valuable skills that help them in everyday life, such as cooking. Before COVID, all our clinics were in-person, which provided invaluable engagement opportunities for our kids and their families. While we have continued to provide weekly virtual clinics to try and keep our kids engaged, our hope is to return to our in-person clinics once again when it is safe to do so.

I am also the chair of our Parents' Committee, and some of the feedback we have gotten about our clinics is the plethora of things parents have to consider when deciding whether or not they can attend. We always choose locations that are ADA accessible; however, that is not always sufficient. Parents must consider how far away from their homes the event is, whether there will be adequate parking, and whether or not there will be facilities they can use for hygiene. We take for granted the fact that public restrooms have changing tables for small children, but as those children grow, it becomes more difficult to find a sanitary space to help our loved ones in the bathroom.

Parents struggle to always be prepared, but even if it is a shorter clinic, accidents happen, and it is heartbreaking to try to explain to a child that they have to leave this fun event early because there is nowhere they can get changed, so they have to go home.

Voting favorably on this bill would provide more accessible buildings for our kids and for adults to have more freedom to engage in their community and have more independence, rather than confinement at home. Please consider how we take for granted the ease with which we can access a restroom whenever needed. Our world should be just as inclusive for persons with disabilities of all shapes, sizes, and ages.

Thank you for your consideration.

Respectfully,

Teresa Fox

Testimony - Needing a Restroom isn't _Special_.pdf

Uploaded by: Hatcher, Laura

Position: FAV

Testimony in Support of SB0061 Public Buildings – Changing Facilities – Requirements

Submitted by Laura LeBrun Hatcher

583 Woodbine Ave, Towson MD 21204

410-419-1021

Like all moms, I think my kid is pretty special. My son Simon has an amazing sense of humor. He's great at Mario Kart, and loves to go swimming. He also has Cerebral Palsy, Epilepsy, Hydrocephalus, Autism, and a unique genetic disorder. He has physical and cognitive disabilities.

For 14 years as Simon's mom and advocate, I've used the term "special" a lot. Unfortunately, I've used less often to describe Simon and more often to try to get him the things he needs.

Special education for learning.

Special needs equipment for getting around.

Special needs activities for being included.

But, the truth is NONE of these things are special. Everyone needs to learn, get around, and be included. What's special is that people with disabilities and those who love them have to ask, advocate, plead, and push for every little ordinary thing.

Even things as basic as public restrooms.

Many kids with disabilities like my son need access to changing tables long past the point baby changing tables can support their weight, and there are no larger tables available. Putting a child on a bathroom floor is unsanitary and undignified. Changing an older child inside a vehicle is not private enough.

As parents and caregivers we do everything we can to protect our children's dignity and privacy; so when a change is needed we're often forced to go home. Limiting our ability to go out and stay out in our community. Limiting our children's opportunities to be included, have fun, and just be kids.

Children with disabilities aren't the only people impacted by this lack of restroom accessibility. Kids with disabilities grow up to be adults with disabilities who want to work and be a part of their communities. Through their service to our country, many veterans become disabled, and they deserve to come home to a community they can fully access. If we're lucky, we will all age and with age comes disability. If we want to "age in place," that place needs to accommodate our basic needs. Disability is a part of life.

Using a public restroom isn't a special need, it's a necessity. Access for people with disabilities isn't a special need; it's a civil right. States like Arizona, California, New Hampshire, and New York have already passed similar bills, letting their citizens with disabilities know they're welcome and wanted in our shared spaces.

I hope Maryland will do the same for my son and thousands of Marylanders like him. Thank you.

SB61- Support- The Arc Maryland.pdf

Uploaded by: Kolp, Ande

Position: FAV



**SB061- Public Buildings: Changing Facilities- Requirements
Judicial Proceedings Committee
January 28, 2021
Position: Support**

The Arc Maryland is the largest statewide advocacy organization dedicated to the rights and quality of life of people with intellectual and developmental disabilities and their families. We believe every person deserves to fully and equitably access their community and we urge the committee's full support of SB061.

People with developmental disabilities desire the opportunity to leave their homes and participate in their communities. Many work and want to meet up with friends and family, attend events, shop, and worship amongst an array of many other community activities.

During the pandemic, most of us experienced first-hand what it was like to not have access to a bathroom when we needed one. Stores and restaurants closed their bathrooms to patrons during this time, and most of us could not stay out in the community for longer than a couple of hours at a time before needing to return home to use the bathroom. Now, imagine this being your way of life- pandemic or no pandemic. If you are a person with physical disabilities or a need for physical assistance to use the bathroom, this is what you experience all the time.

When fully accessible bathrooms (those equipped with changing stations) are unavailable, individuals who require personal hygiene assistance are often changed in the backs of cars, tailgates of vans or trucks, on the grass or in parking lots (while family members hold up blankets for privacy barriers), on the laps of their caregivers in a toilet stall, and all too frequently-- on the floor of a public bathroom.

According to statistics provided by the Dignified Changes advocacy group, more than 17 million individuals experience urinary incontinence and this number is expanding as our population ages and the percentage of people with disabilities increases.

SB61 is not just a bill about creating dignified, private, and hygienic places for personal hygiene and changing: It is about honoring the humanity of our fellow community members and recognizing the unfair challenges they face to finding a bathroom they can use throughout the day.

People with developmental disabilities, older adults, veterans with paralysis or other physical disabilities, and those with complex medical conditions all deserve privacy,

human dignity, and equitable access to public bathrooms. We all deserve a dignified change in the law and we urge the committee's favorable report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ande Kolp", written in a cursive style.

Ande Kolp
Executive Director
akolp@thearcmd.org
443-851-9351

SB 61 Changing Facilities Coalition Support.pdf

Uploaded by: London, Rachel

Position: FAV



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

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



8601 Robert Fulton Dr
Suite 140
Columbia, MD 21046

SB 61: Public Buildings- Changing Facilities - Requirements **Position: Support** **January 28, 2021** **Senate Judicial Proceedings Committee**



1500 Union Avenue
Suite 2000
Baltimore, MD 21211

The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving opportunities and outcomes for Marylanders with developmental disabilities. As such, the DD Coalition supports SB 61.



8835 Columbia 100 Pky
Suite P
Columbia, MD 21044

People with developmental disabilities want and need the opportunity to meaningfully participate in their communities whether to work, go out with friends and family, attend events, shop, and worship, among other things. Some people with disabilities, of all ages, require help with personal care. Yet, very few changing facilities suitable for a child under the age of 4 years and for providing personal care for an adult exist. As a result, families of children and adults with disabilities who require personal care and support are forced to significantly limit outings or stay home; or if they do go out, personal care needs are taken care of in less than ideal situations – in the back of cars, on the grass or in parking lots, and frequently on the floor of a restroom.



**Maryland Developmental
Disabilities Council**

217 E Redwood Street
Suite 1300
Baltimore, MD 21202

Access to changing facilities in new or renovated state buildings is a critical step to decreasing barriers to full community inclusion, and ensuring that privacy and dignity is afforded to more Marylanders. In addition, maintaining the availability and location of appropriate changing facilities on the 2-1-1 Maryland website is an essential component so more people with disabilities and families can plan and enjoy each outing.



7000 Tudsbury Road
Windsor Mill, MD
21244

These relatively small steps will improve the quality of life for people with developmental disabilities, other people with personal care needs, and families; therefore, the DD Coalition strongly supports HB 61.

Contact: Rachel London, Chair, DD Coalition; Executive Director, Maryland DD Council:
RLondon@md-council.org

SB 61 adult changing facilities DD Council Support

Uploaded by: London, Rachel

Position: FAV



**Maryland Developmental
Disabilities Council**

EMPOWERMENT • OPPORTUNITY • INCLUSION

Senate Judicial Proceedings Committee

January 28, 2021

SB 61: Public Buildings – Changing Facilities - Requirements

Position: Support

The Maryland Developmental Disabilities Council (DD Council) is a statewide public policy organization that promotes the full inclusion of people with developmental disabilities in all aspects of community life by eliminating barriers, creating opportunities, empowering people, and promoting innovation. The DD Council is led by people with developmental disabilities and their families. From that perspective, the DD Council supports SB 61.

It is well accepted and expected that all people have a right to live in the community, access all facilities, and meaningfully participate in all activities. That right is significantly limited for people with the most significant disabilities. Some people with significant disabilities, of all ages, require assistance with personal care throughout their lifetimes. Yet, very few changing facilities suitable for children over the age of 4 and for the personal care needs of adults exist. As a result, families of children and adults with disabilities who require personal care and support are forced to significantly limit outings or stay home.

The DD Council understands it costs more and may require more space to install changing facilities suitable for children and adults; however, **the benefits to increased accessibility for more Marylanders impact not only people with disabilities and their families, but society as a whole.** Access to changing facilities in renovated or new state buildings will provide more people the opportunity to:

- Be fully integrated
- Serve the public interest
- Meaningfully participate in their communities
- Work alongside people without disabilities

In order to ensure access and opportunity for all of Maryland's citizens, including those with significant support needs, it is critical to address the most basic personal care needs of children and adults with disabilities. **The DD Council strongly supports SB 61 so that people with disabilities and their families are not limited in their ability to fully engage in and their communities.**

Maryland should join the 5 other states (Arizona, California, Florida, Georgia, and New Hampshire) that have passed similar requirements and the 11 other states that are considering similar legislation. It is a critical next step to facilitate everyone's personal care needs and ensure the inclusion of all people in all facets of community life.

Contact: Rachel London, Executive Director: RLondon@md-council.org

SB0061 MD NARAL SUPPORT.pdf

Uploaded by: Philip, Diana

Position: FAV



SB0061 Public Buildings – Changing Facilities – Requirements

Presented to Hon. Will Smith and Members of the Senate Judicial Proceedings Committee

January 28, 2021 11:00 a.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Senate Judicial Proceedings Committee a **favorable report on SB0061 - Public Buildings – Changing Facilities – Requirements**, sponsored by Senator Clarence Lam.

Our organization is an advocate for reproductive health, rights, and justice. As part of our efforts to protect reproductive freedom for all Marylanders, we work to ensure every childbearing individual has the right to decide if, when, and how many children to have, and to parent in good health, in safety, and with dignity. In doing so, we support measures that ensure public spaces are accessible so caregivers can provide care with dignity.

Being unable to locate an accessible, safe space to change a diaper can delay diaper changes and cause stress for both diaper-wearer and caregiver. There are adverse health effects associated with the inability to change a diaper as needed. Rashes can develop which may turn into open sores, infections including yeast and urinary tract, and other illnesses if their diapers are not changed regularly.

Finding a corner to change a young child's diaper is possible, even if often unsafe and unsanitary. A person providing care to a teen or adult needing similar care cannot just go into a corner, however. The 2010 ADA Standards for Accessible Design include many design features, like grab bars and bathroom stalls large enough to fit wheelchairs, and even include provisions to ensure baby changing stations are accessible to all and do not block other accessibility features. But they lack provisions for adult changing facilities.¹ The State of Maryland has the opportunity to go above and beyond the ADA standards and create more accessible public spaces.

Ensuring that public spaces have access to not just changing facilities for young children, but for all people who need this space is a matter of equity and dignity for all. Ensuring changing facilities can be located through 2-1-1 allows caregivers to plan and prepare without delaying diaper changes and personal care needs. And we know that women are overwhelming serve as the primary caregivers of not only infants, but of other family members in need of hands-on care for short-or long-term disabilities.

The ability to parent and care with dignity is essential to the realization of reproductive freedom, and contributes to realizing plans to add to one's existing family. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0061**. Thank you for your time and consideration.

¹ Department of Justice (2010, September 15). 2010 ADA Standards for Accessible Design. *Department of Justice*.
<https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards.pdf>

Maryland Catholic Conference_FAV_SB61.pdf

Uploaded by: Sheahan, Molly

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

January 28, 2021

**Senate Bill 61
Public Buildings - Changing Facilities – Requirements**

Senate Judicial Proceedings Committee

Position: Support

The Maryland Catholic Conference represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington, which together encompass over one million Marylanders.

Senate Bill 61 addresses an important issue – requiring that a changing facility be installed in public restrooms in public buildings allowing parents to change their kids’ diapers and provide personal care to adults. The bill also ensures a list of changing facilities is made available via Maryland 2-1-1.

The Conference works to support efforts that are life-affirming. Providing a diaper-changing facility in public buildings enables all parents to take part in childcare and supports healthy growth options for busy families. No mom or dad should ever have to worry about finding a safe, sanitary place to change their baby or toddler -- least of all in a state or public building that's paid for by taxpayers. Equal access to changing facilities in Maryland’s public buildings in both men's and women's bathrooms is essential to protecting the health and safety of children and encouraging a family-friendly environment.

Furthermore, ensuring a space to provide personal care to adults protects the privacy and safety of persons with disabilities and the elderly, and is responsive to the needs of Maryland’s families.

It is for these reasons that the Maryland Catholic Conference asks for a favorable report for **SB 61**. Thank you for your consideration.

1.28.21 The Arc - SB61 - Changing Facilities - Sup

Uploaded by: Shewbridge, Rylie

Position: FAV



Central Chesapeake Region

☎ 410.269.1883
✉ info@thearcccr.org
🌐 www.thearcccr.org

January 28, 2021

Chair William C. Smith, Jr.
Judicial Proceedings Committee
Maryland State Senate
Miller Senate Office Building, 2 East
Annapolis, MD 21401

Dear Chair Smith & Judicial Proceedings Committee Members,

I am writing to you on behalf of The Arc Central Chesapeake Region in support of SB61 – Public Buildings – Changing Facilities – Requirements.

The Arc Central Chesapeake Region serves over 2,500 children and adults with intellectual and developmental disabilities and their families in Anne Arundel County and Maryland’s Eastern Shore. The Arc Central Chesapeake Region’s mission is to promote respect, create opportunities, facilitate services and advocate for equal rights for all people with intellectual and developmental disabilities.

SB61 would require that a public building constructed after the specified date have at least one public restroom with a changing facility suitable for providing personal care for all children and adults. This would also apply to an existing public building that is built or substantially renovated on or after the specified date. This legislation will allow equal access for all people regardless of their physical abilities.

We believe that this legislation is essential for people with disabilities to have equal access to facilities and the proper accommodations within a public space to use a restroom. By requiring these changing facilities in public buildings, this will allow people with disabilities to have the access to an accessible restroom with a changing table. This will specifically improve the ability for adults with physical disabilities to engage in their communities and create the necessary conditions for full inclusion in public spaces. This legislation will directly impact over 250 people The Arc Central Chesapeake Region serves.

In the 2020 legislative session, the House passed HB10 as amended and it was held in the Senate due to the early adjournment. We ask for your support again this session by voting in favor of SB61 and voting in favor of equal access for people with disabilities across Maryland.

Sincerely,

Jonathon Rondeau
President & CEO

Achieve With Us.®

SB61_Public Buildings _Changing Facilities for Adu

Uploaded by: Tart, Kim

Position: FAV

SB61: Public Buildings –Changing Facilities for Adult Diapers

My name is Kim Tart. I live in District Heights, Maryland, Prince George's county. I have been a Maryland resident for 51 years. My son, Monty was diagnosed with Down Syndrome. He is a smart, playful, energetic 12-year-old. Last year, he had surgery to correct a Slipped Epiphysis (Growth Plate) Of Femur (Thigh Bone that required him to use a wheel chair. Monty wore adult pull-ups while recovering from his surgery. When we went shopping or traveled to the movies or other public venues, there were no accommodations to allow us change his pull-up. He weighs (over 100 pounds) too much for the changing table. An adult changing table is a convenient and safe way for us to assist Monty.

During our trips, without any accessible restrooms en route or in store/venue, we had one pull-up-changing location option - in the back of the car in a parking lot. I hate to imagine what caregivers of individuals with permanent physical disabilities such as cerebral palsy or spinal issues have to deal with. Options such as changing the diaper/pull-up in the van or on the floor of a gas station bathroom. Those options are both dehumanizing and unsanitary. And transitioning someone with cerebral palsy and spinal issues to a hard surface can injure them.

I ask that you support Senate Bill 44, Public Buildings - Changing Facilities for Adult Diapers, requires, except under certain circumstances, that a diaper-changing facility suitable for changing adults and children be installed in certain public restrooms in certain public buildings and requires the maintenance of a list containing locations of adult changing stations.

Adult changing tables — a rare amenity often only found in large hospitals — can support a few hundreds of pounds of weight, be adjusted for height and offer a necessity for adults with special needs. By not offering adult changing tables in public restrooms, people with physical disabilities are limited in their access to public spaces. Communities need to start pushing for legislation to require businesses and public spaces to include adult changing tables to create fully accessible spaces for all members of society. Those who have physical disabilities like cerebral palsy and seizure disorders that make them incontinent utilize these tables with the help of their parents or caregivers to take care of their toileting needs.

Buying and installing these tables can cost \$600-\$3,000. The tables are also often too large to fit in some bathrooms, which are main reasons but poor excuses for their uncommonness. For businesses to fully serve a diverse customer base, these changing tables provide an essential service to accommodate a portion of their clientele. Without these tables in family restrooms in different venues, people often resort to leaving or lying their loved ones on a public restroom floor.

Moving someone with a disability out of their wheelchair is a hurdle that adult changing tables can accommodate. Parents and caregivers often have to single-handedly

execute this transition. Lifting a 120-pound person to a level, height-adjusted changing table designed to sustain an adult-sized body is easier and safer than moving them to the floor.

In 2010, the Americans with Disabilities Act was revised from its 1990 mandate to include grab bars, accessible faucet controls and larger toilet stalls, but failed to include any requirements for adult changing tables.

New York state Sen. Pamela Helming proposed \$1 million in a new state budget for full-service family restrooms with adult changing tables. Helming made the proposal after a mother whose son has Pallister-Killian mosaic syndrome, a rare disorder that causes extremely weak muscle tone, reached out because she felt society's push for inclusivity shouldn't be limited to the able-bodied. "Everyone needs accommodations, so why are we leaving out a specific group of people?" Aleong said. "We have to make sure everyone is included, even in the day-to-day actions of life." Supporting new legislation for this implementation should truly be a no-brainer. If large airports have accessible places for pets to toilet, then we should care enough to add adult changing tables in public spaces to accommodate the needs of all humans too.

Thank you very much for your kind attention.

Kim Tart
1302 Fairfield Drive
District Heights, MD 20747
tartkg@prodigy.net

SB0061-JPR_MACo_OPP.pdf

Uploaded by: Jabin, Drew

Position: UNF



Senate Bill 61

Public Buildings - Changing Facilities - Requirements

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: January 28, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **OPPOSES** SB 61. While well-intentioned, this bill would place a costly mandate on county governments to carry out new state policy and install at least one changing facility suitable for providing personal care for an adult to be installed in a public bathroom within a newly construction or majorly renovated building.

As a rule, MACo resists state policies that result in costly or burdensome local implementation. SB 61 would implement a costly mandate for county governments to install changing facilities suitable for adults in public bathrooms. Under state law, counties have no choice but to support these costs—competing for limited local funds against school construction, public safety, roadway maintenance, and other essential public services.

The Fiscal Note prepared by the Department of Fiscal Services states that the bill does not provide specifications for the types of changing facilities to be included in new or renovated buildings, and there are no federal standards on which to rely, meaning the cost of installing these facilities can vary tremendously – with cost estimates running upwards of \$150,000. As defined in the bill, substantial renovations are considered \$30,000, meaning this could potentially increase costs of renovating the building five-fold. Costs have the potential to increase ten-fold for public buildings with restrooms divided by gender, which must have a facility installed in at least one men’s public restroom and one women’s public restroom.

Local governments must also enforce these requirements in privately owned buildings if construction is not on State-owned land, local funds are used, and no State funds are used. This would place an unclear but potentially burdensome new enforcement requirement on county and municipal governments, extending beyond their expertise.

Ultimately, the bill as written is a potentially significant unfunded mandate for local governments. Counties obviously encourage avenues to create accessible environments for all residents, but do oppose the broadly mandated provisions currently within SB 61. For these reasons, MACo **OPPOSES** SB 61 and urges an **UNFAVORABLE** report.

2021 SB 61 Public Bldgs-Changing Facilities DGS LO

Uploaded by: Robertson, Ellen

Position: INFO



OFFICE OF DESIGN, CONSTRUCTION & ENERGY

BILL: Senate Bill 61
Public Buildings – Changing Facilities - Requirements

COMMITTEE: Senate Judicial Proceedings

DATE: January 28, 2021

POSITION: Letter of Information

Upon review of Senate Bill 61 – Public Buildings – Changing Facilities – Requirements, the Department of General Services (DGS) provides these comments for informational purposes.

The bill requires the addition of a diaper changing facility to State operated restrooms in facilities or restrooms constructed or undergoing substantial renovation on or after October 1, 2022. These stations must be suitable for changing the diaper of a child or an adult.

An adult changing station requires a larger footprint than a baby changing station, meaning the restroom size will have to be increased to accommodate the changing station, along with additional room to maneuver around the changing station. Challenges may be encountered in existing facilities given the need for additional square footage and adjacent spaces. Restrooms are typically off main corridors, along with ventilation shafts, elevator shafts & stairwell shafts where additional space cannot be feasibly taken to expand the bathroom.

New construction projects would have an increased cost due to the additional square footage needed. An adult changing station is 40” by 72” long, equaling 20 square feet. Adding space for maneuverability around the station, a safe assumption is that 100 square feet per restroom would be added to a building at the standard construction cost of \$200 per square foot.

Senate Bill 61 allows a local jurisdiction’s building inspector to provide an exemption from this provision. This would require the State to work with 24 different local jurisdictions to understand the requirements for an exemption, that which will vary by jurisdiction.

For additional information, contact Ellen Robertson at 410-260-2908.

