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**TESTIMONY OF PATRICK J. LALLY**  
**SR. EXECUTIVE DIRECTOR, GOVERNOR'S COORDINATING OFFICES**  
**IN SUPPORT OF SB 169**  
**STATE AUTISM STRATEGY REVISIONS**  
**DEPARTMENTAL BILL -- GOVERNOR'S OFFICE OF COMMUNITY INITIATIVES**  
**April 4, 2022**

House Committee on Appropriations  
The Hon. Maggie McIntosh, Chair

Good afternoon Madam Chair and members of the committee. Thank you for the opportunity to testify today in support of SB 169, the Hogan Administration's departmental bill through the request of the Governor's Office of Community Initiatives (GOCI) that would make technical changes to the the State Coordinator for Autism Strategy [the coordinator] and the Advisory Stakeholder Group on Autism-Related Needs [the advisory group]. My name is Patrick Lally and I am the Senior Executive Director of the Governor's Coordinating Offices, the State organization that houses the Governor's Office of Community Initiatives that is in charge of the coordinator and advisory group. You should also have in your bill file a letter in support of SB 169 from Steven J. McAdams, Executive Director of the Governor's Office of Community Initiatives, the implementing agency for this initiative.

Before I begin, I would like to commend Delegate Michelle Guyton for her tireless work on behalf of persons with Autism and their families. Her efforts to create the coordinator and advisory group are laudable and will have manifold long-term benefits for those with Autism, their loved ones, and the entire community.

I would also like you to know that pursuant to the statute, the Governor's Office of Community Initiatives has hired the State Autism Coordinator and established the Advisory Group on Autism-Related Needs. The panel's first meeting took place in February and it marked the beginning of some very important and beneficial work in this field on behalf of the State of Maryland.

Regarding the departmental bill, SB 169 would make certain technical changes to the underlying statute. Most of these changes would correct references to the agency of jurisdiction. Originally, the Department of

Disabilities was envisioned as the lead agency in implementing these statutory programs. Ultimately, the Governor's Office of Community Initiatives became the implementing agency and, therefore, incorrect or unnecessary references to the Department of Disabilities should be replaced with GOCI. SB 169 would accomplish this goal.

Two other changes proposed by the Administration are: 1) amending the composition of the advisory group to include one representative from the Maryland Senate appointed by the President of the Senate, and two representatives from the House of Delegates appointed by the Speaker; 2) and changing the requirement that the coordinator chair the advisory group by having the governor appoint the chair from among those serving on the panel.

First, the Administration feels that the addition of representatives from the General Assembly to the advisory group would enhance the panel considerably and greatly assist in furthering its goals.

Second, the Administration would like to see the advisory group's structure comport with the standard organizational structure established by the dozen commissions already under the purview of the Governor's Office of Community initiatives. Each of these operates with a director -- the equivalent of the State Autism Coordinator -- who administers commission activities, but is not a member of the panel; the advisory group being analogous to a commission. This allows for good governance and balance in everything from the administration of reimbursements to overall fiscal supervision. Furthermore, it gives panels, commissions, and advisory groups the ability to secure the highest quality leadership on policies and issues that can have a powerful voice independent from, but cooperating with, the director.

This separation of duties is also consistent with the Governor's State Transparency and Accountability Reform (STAR) Commission recommendations in December 2021 regarding the operations and structures of state quasi-governmental agencies. Although the advisory group is not a quasi-governmental agency, some best practices outlined in the STAR Report would apply; this, from page 16 of the report:

*“The executive director should only serve on the board as an ex officio and nonvoting member. The governing boards should always seek to remain independent from the executive director and management personnel, which helps give the board legitimacy and keep them free from any undue influence from the agency's day-to-day leadership. The executive director should be attending the board meetings, but should not have any voting powers, and should attend the meetings only to provide informational updates. It appears that most boards are now operating in this format.”*

Lastly, it is important to note that earlier this session this committee passed a similar bill, HB 662 sponsored by Delegate Guyton, that would also add representation from the General Assembly to the advisory group and make some other changes to the underlying statute. However, I would like to point out here some of the

differences between our departmental bill and that measure. 169, like HB 662, would add to the Advisory Group's membership representation from the General Assembly.

This is a summary of these differences:

- HB 662 was amended in the House and would now require an annual appropriation to GOCI for one support position for the State Coordinator;
- SB 169 would amend the existing statute by transferring Sections 7–111 and 7–112 of the Human Services Article, to Sections 9.5 –102 and 9.5–103 of the State Government Article, which relate to the Governor's Office of Community Initiatives. HB 662 would not transfer these provisions. By not transferring these sections, HB 662 would not provide additional clarity on the Advisory Group and Coordinator position by eliminating incorrect references to the Department of Disabilities related to staffing and aligning the budget appropriation with GOCI, the jurisdictional government entity;
- In contrast to SB169, the Coordinator position under HB 662 would be subject to the Executive Nominations process. The Coordinator would also be added to the Interagency Disabilities Board and the Governor would be required, beginning in fiscal year 2024, to provide funding in the budget for a support staff position for the State Coordinator; and
- Unlike SB 169, HB 662 would not amend the Advisory Group's administrative and leadership infrastructure to comport with similar state governmental advisory groups and commissions, particularly those already in GOCI's portfolio.

With this overview, Madam Chair and members of the committee, I conclude my testimony. I am optimistic that the coordinator and the advisory group will work hard and have tremendous success in improving the lives of those with Autism and their families. I look forward to furthering those activities and I would be happy to answer any questions.