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SB790: Maryland Medical Assistance Program-
Employed Individuals with Disabilities
Health and Government Operations Committee

Letter of Information

April 2, 2024

The Arc Maryland is a statewide disability advocacy organization that is dedicated to the preserving the rights, and improving the quality of life, of individuals with intellectual and developmental disabilities.

To be clear, we support SB790 along with fellow members of the Developmental Disabilities Coalition., but there is an urgent matter for which we ask for immediate consideration related to the current structure of the EID program.

We appreciate that, through the passage of this bill, the Department of Health will be examining the EID program with feedback from stakeholders to ensure the program is continuing to meet the needs of people with disabilities to be able to live, work, and maintain their Medicaid coverage through this buy-in program. For many, Medicaid is not just health insurance, it is their ticket to the ability to live and work in the community with Home and Community Based Medicaid Waiver services and supports they need. Without Medicaid, people may be remanded to more restrictive, institutional settings which are diminutive to quality of life and also cost more to the state.

The amendment to strike the removal of the upper age limit (currently set at 65 in eligibility criteria) is understood, but the underlying need that people have to be able to work and participate in EID past 65, is left unresolved.

One witness (of many who are in this exact situation or will be soon) testified about how she must continue to work to live, but will turn 65 later this year.

Due to the upward age cap on the program of 65, she will no longer be eligible at that point for the EID Medicaid buy in program. We suspect this will cause immeasurable harm and disruption to her current way of life.

A segment of her testimony is here:

"I require attendant care to survive in the community and I access this through Medicaid. To thrive in the community, I enrolled in the Employed Individuals with Disabilities (EID) program when it was first introduced 15 years ago. I was actually the poster child and was put on all of their

brochures. To maintain work and Medicaid this is the only program I and others can turn to.

*In December 2024, I will be turning 65 years old and will be kicked out of the program. I will be forced to give up work and likely be placed in a nursing home which terrifies me so much. I've worked so hard to get to this point and wish to remain in the community, keep my job, continue paying taxes, and not fall through the cracks because of bad public policy. **There are over 18 other states that have lifted the age 65 penalty.***"ⁱ

If not through this bill, we urge the Department of Health to examine its eligibility policies and regulations and either establish a higher upper age limit or remove the upper age limit as soon as possible. This change would support current working behavior of Marylanders with disabilities.

There is a segment of the population who want to work, need to work, and should be encouraged to continue working beyond the age of 65 through a change in this eligibility criteria.

Respectfully,

Ande Kolp. Executive Director akolp@thearcmd.org

ⁱ Testimony delivered by Ms. Janice Jackson, Baltimore
March 11, 2024 before the Senate Finance Committee