

Health and Government Operations Committee**February 6, 2024****HB 368: Human Relations – Discrimination by a Place of Public Accommodation****POSITION: SUPPORT**

Thank you, Chair Peña-Melnyk and Committee Members, for the opportunity to comment in support of HB 368, Human Relations – Discrimination by a Place of Public Accommodation. Disability Rights Maryland is the designated Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities by advocating for accessible places of public accommodation.

HB 368 addresses the long legacy of excluding people with disabilities from public life. Many individuals with disabilities are isolated at home or in institutions because of broad barriers to accessing public spaces. Despite the 1990 landmark legislation of the Americans with Disabilities Act (ADA), which largely mirrors Maryland's own requirements, many public places in Maryland are failing our disability community.

DRM regularly receives complaints about discrimination by places of public accommodation. These complaints are rarely about technical compliance in the design and construction of facilities – rather, these complaints focus on the denial of basic goods and services to individuals with disabilities. For example, DRM received a complaint about a camp that refused to enroll a child who needed an anti-seizure medicine. When asked to provide a reasonable accommodation, the camp director suggested that the family enroll their child in a different camp. The family was unable to find a camp for their child. DRM has also represented a young girl who was denied the opportunity to roller-skate with her peers because of her need to use a walker on the roller rink.

Beyond the humiliation and isolation of being denied equal opportunity as one's peers, DRM also receives complaints about discrimination in medical offices. In one common example, DRM received a complaint this past year from an individual who had sought an appointment with a medical specialist. He asked for an American Sign Language (ASL) interpreter. The doctor's office refused. He was unable to effectively explain his medical needs or understand his doctor's advice, leaving him at significant medical risk.

The current system for addressing these harms is inadequate. HB 368 would improve the remedies by providing financial relief. Monetary damages give individuals the ability to better make up for the denial of goods or services, and these damages also create a stronger incentive for places of public accommodation to prevent such discrimination in the first place. HB 368 thus places the promise of non-discrimination in Maryland public accommodations on equal footing with non-discrimination in employment and housing.

DRM applauds these efforts to promote full inclusion of people with disabilities into public life, and for these reasons, supports HB 368. For further information, please contact Sam Williamson, Staff Attorney, at 410-727-6352 or samw@disabilityrightsmd.org.