



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

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

House Health and Government Operations Committee

March 05, 2025

HB 1053: Developmental Disabilities Administration - Self-Directed Services – Parent Providers

Position: Letter of Information



8601 Robert Fulton Dr
Suite 140
Columbia, MD 21046



1500 Union Avenue
Suite 2000
Baltimore, MD 21211



8835 Columbia 100 Pky
Suite P
Columbia, MD 21044



**Maryland Developmental
Disabilities Council**

CREATING CHANGE · IMPROVING LIVES

217 E Redwood Street
Suite 1300
Baltimore, MD 21202



7000 Tudsbury Road
Windsor Mill, MD 21244

The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for people with intellectual and developmental disabilities (IDD) and their families.

WHAT does this bill do?

- States it will amend MD Code, Health - General, § 7-409. Recipients of self-directed services, subsection (a)(4) to specify that a “Parent” may provide a DDA participant with direct services.
- States that it will amend subsection (a)(4)(i) to specify that a DDA participant may choose a “Parent” or “Legal Guardian” to provide direct services if it is the choice of the participant, or their authorized representative and they have a supports broker.

Many DDA participants, both people in self-directed services (SDS) and participants that hire through an agency, rely on family members, including their parents, and legal guardians to provide them with their direct care.

Health-General 7-409(a)(4) already specifies family members, which includes parents and legal guardians, may provide direct services with the same conditions that a participant has a supports broker, and it is the participant or their authorized representative’s choice. This is only one condition relating to family and legal guardian caregivers, but there exists additional conditions and applicable service restrictions.

MD Code, Health - General, § 7-401. Rules and regulations, specifies that the Secretary of Health shall adopt rules and regulations to govern DDA’s services and programs. However, the applicable regulations under COMAR 10.09.26 and COMAR 10.22 have not been fully updated in decades, with some subtitles and chapters that have not been updated since July 26, 1999 (26:15 Md. R. 1148).

Rather, DDA has issued a [SDS manual](#) and [policy](#) that went into effect late 2024 and have already been amended several times. Until comprehensive regulations are implemented, the SDS manual and policy are the resources to find definitions, conditions for services, and applicable services restrictions.

For more information, contact any member of the DD Coalition.

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Thank you for the opportunity to testify on House Bill 1053. Disability Rights Maryland (DRM) is the state-designated Protection and Advocacy agency, authorized under federal law to protect and advocate for the rights of individuals with disabilities.

HB1053 amends MD Code, Health - General, § 7-409. Recipients of self-directed services, subsection (a)(4) to specify that a "Parent" may provide a DDA participant with direct services. It also amends subsection (a)(4)(i) to specify that a DDA participant may choose a "Parent" or "Legal Guardian" to provide direct services if it is the choice of the participant, or their authorized representative and they have a supports broker.

Many DDA participants, both people in self-directed services (SDS) and participants that hire through an agency, rely on family members, including their parents, and legal guardians to provide them with their direct care. HG 7-409(a)(4) as drafted already specifies family members, which includes parents, and legal guardians may provide direct services with the same condition that a participant has a supports broker, and it is the participant or their authorized representative's choice. However, this is only one condition relating to family and legal guardian caregivers, but there exists additional conditions and applicable service restrictions.

MD Code, Health - General, § 7-401. Rules and regulations, specifies that the Secretary of Health shall adopt rules and regulations to govern DDA's services and programs. However, the applicable regulations under COMAR 10.09.26 and COMAR 10.22

have not been fully updated in decades, with some subtitles and chapters that have not been updated since July 26, 1999 (26:15 Md. R. 1148). Other subtitles and chapters have been amended piecemeal more recently. Despite the Maryland Self-Directed Services Act passing in 2022, no regulations for SDS that relate to all services requirements or participant rights or obligations have been implemented. The only SDS regulations implemented have been: 1. Definition of SDS under COMAR 10.22.01; 2. Broad language relating to rate setting under contracts for family support services or individual support services under COMAR 10.22.18.10; and 3. Vocational and supported employment services under COMAR 10.22.17.13.

Rather, DDA has issued a SDS manual and policy that went into effect late 2024 and have already been amended several times. Until comprehensive SDS regulations are implemented, the SDS manual and policy are the resources to find definitions, conditions for services, and applicable services restrictions.

Respectfully,

Randi A. Ames, Esq.
Managing Attorney
Disability Rights Maryland
1500 Union Ave., Suite 2000
Baltimore, MD 21211
Direct: 443-692-2506
RandiA@DisabilityRightsmd.org