



Committee: Finance

Bill Numbers: Senate Bill 742 Maryland Medical Assistance Program and Developmental Disabilities Administration - Home- and Community-Based Services Eligibility Determinations (Maryland Protecting People With Disabilities Act)

Hearing Date: March 3, 2026

Position: Support

The Coordinating Center strongly supports SB 742 – Maryland Protecting People with Disabilities Act. Our organization provides care coordination to nearly 10,000 Marylanders annually through Maryland Medicaid programs, including the DDA, Community First Choice Program, and other home and community-based services waivers and programs. Many of the individuals we serve experience significant issues with the redetermination process.

This legislation addresses a systemic failure, not individual noncompliance. Every day, individuals who remain eligible for Medicaid-funded home- and community-based services lose access to essential care solely due to administrative delays, data entry failures, or untimely redeterminations that are entirely outside their control.

This bill is imperative because under current practice, individuals may be procedurally disenrolled from Medicaid waiver services even when:

- They have filed a timely appeal
- They are legally entitled to continued services during due process
- Delays occur within EDD or the State’s eligibility systems, not due to client action

As documented by our Case Management, Coordination of Community Services, Service Coordination and Supports Planning teams, the most common breakdown occurs after an appeal is submitted:

- Appeals are sent to the Maryland Department of Health within required timeframes.
- Significant delays occur before appeals are entered into the LTSS system.



- During this lag, Medicaid eligibility or special program codes are not reinstated.
- Services are interrupted, despite the client's legal right to continuation.

This gap creates real harm, not because of eligibility changes, but because systems do not communicate in real time.

Real-World Client Impact

The Coordinating Center works with individuals enrolled in multiple Medicaid programs, including DDA Waivers, and other home- and community-based services programs. The following scenarios reflect real cases experienced by our teams:

Example 1: Adult in DDA Community Pathways Waiver Participant Receiving Employment Supports

In January 2025, an adult male submitted his Medicaid redetermination on time but was denied due to an alleged documentation issue and lost services while an appeal was pending. During this lapse, his transportation to work was cancelled, his QMB costs were deducted from his SSI, and he nearly lost his job and housing, despite remaining eligible. His Medicaid services were not reinstated until May 2025 due to administrative delays.

For his January 31, 2026, redetermination, all documentation was submitted nearly two months early, yet additional information was requested just days before the deadline, and no determination has been issued to date.

Had SB 742 been in effect, services would have continued during the appeal and eligibility would have been reinstated when delays were no fault of the participant.

Example 2: Adult in DDA Community Pathways Waiver Participant Affected by EDD Administrative Errors

In early 2025, an adult participant was approved for Medical Assistance, then erroneously notified weeks later that his Medicaid waiver benefits had been closed, despite no change in eligibility. In late February 2025, payroll for his support staff was stopped after EDD incorrectly showed him as ineligible. By the end of March 2025, the issue remained unresolved despite repeated contacts and assurances that it was merely a paperwork problem. In early April 2025, the family made an in-person visit to EDD offices and submitted documentation directly to management, after which the case began to move. Payroll was finally released several weeks later, following additional delays and miscommunication. In total, the participant experienced over a month without payroll and

approximately five to six weeks of service and eligibility instability, resulting in significant emotional distress and behavioral deterioration due to fear of losing trusted staff.

Had SB 742 been in effect, services would have continued during the review period and eligibility would have been reinstated when delays were no fault of the participant, preventing avoidable harm.

Examples 3: REM Program Participants Affected by EDD Administrative Errors

In July 2025, **two medically complex adults**, ages 24 and 25, living in two different group homes (same provider) experienced a loss of Medical Assistance after EDD applications remained pending for over 30 days. Both participants received services from different private duty nursing (PDN) agencies, both of whom were impacted when Medicaid went offline. Services were disrupted for nearly two months; one participant was hospitalized because his PDN agency could not continue services without payment, while the other narrowly avoided interruption due to temporary agency support. Eligibility was later reinstated retroactively, but only after significant delay and escalation.

Had SB 742 been in effect, services would have continued during the eligibility review, preventing service disruption and avoidable hospitalization for medically fragile individuals.

Conclusion

SB 742 establishes two critical safeguards:

1. Continuation of services during the full appeals process when eligibility information is incomplete or under review
2. Mandatory reinstatement of eligibility and services when procedural disenrollment results from agency delays—not client failure

These provisions hold the system accountable, rather than penalizing individuals who are already navigating complex health, housing, and social challenges.



The Coordinating Center urges a **favorable report** and thanks the Committee for its leadership in protecting Marylanders who rely on home- and community-based services to live safely and with dignity.

If you have any questions, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.