



People On the Go Maryland

TESTIMONY IN SUPPORT OF

Senate Bill 22 (SB 22) / House Bill 226 (HB 226)

"Department of Disabilities – Housing Programs and Affiliated Foundations – Establishment"

Primary Sponsor: Chair, Finance Committee (By Request – Departmental – Disabilities)

Committee: Finance Committee

Hearing Date and Time: January 28 at 2:00 p.m.

POSITION: FAVORABLE

To the Honorable Members of the Senate Finance Committee:

People On the Go Maryland (POG) is a statewide self advocacy/systems advocacy organization run for and by people with intellectual and/or developmental disabilities. Our mission is to empower individuals with intellectual and/or developmental disabilities to speak for themselves, make their own decisions, and live the lives they choose in their communities. We represent the voices of Marylanders with intellectual and/or developmental disabilities who seek independence, dignity, and the fundamental right to live in communities of their choice.

The Housing Crisis Facing Marylanders with Intellectual and/or Developmental Disabilities

People with intellectual and/or developmental disabilities in Maryland and across the nation face a severe and multifaceted housing crisis. Adults with disabilities experience poverty at more than twice the rate of their non-disabled peers, with many relying on Supplemental Security Income (SSI) as their primary source of income. The maximum federal SSI benefit of just \$914 per month is insufficient to afford a one-bedroom apartment at fair market rent in any state in the United States, even if 100% of the benefit were allocated to housing costs.

This financial precarity is compounded by a critical shortage of accessible housing. The United States faces a national deficit of over 7 million affordable housing units. For people with intellectual and/or developmental disabilities, this shortage is even more acute: less than 5% of housing nationwide is accessible for individuals with moderate mobility difficulties, and less than 1% is accessible for wheelchair users. As a result, an estimated 7 million renters with disabilities are moderately or severely cost-burdened, spending over 30% of their income on rent and placing them at high risk of eviction.

The convergence of low incomes and a lack of suitable housing places many people with intellectual and/or developmental disabilities at imminent risk of homelessness or unnecessary institutionalization. Nearly 25% of the more than 580,000 people experiencing homelessness on any given night in the U.S. have a disability. When individuals with intellectual and/or developmental disabilities become homeless, they struggle to navigate fragmented support systems, increasing their vulnerability. Simultaneously, the housing shortage forces many into institutional settings like nursing homes or large congregate facilities against their will, stripping them of their independence and violating their civil rights.

The Proven Benefits of Community-Based Housing and Integration

A robust body of research demonstrates that community-based housing provides far superior outcomes for people with intellectual and/or developmental disabilities compared to institutional settings. Studies consistently show that community living leads to improved quality of life, greater autonomy and personal choice, enhanced social integration, increased independence, and better overall health outcomes.

People with intellectual and/or developmental disabilities who live in community-based settings develop broader social networks, more personal relationships, and greater participation in community activities. They experience increased self-determination and control over their daily lives, from choosing what they eat to deciding how they spend their time. This empowerment is a critical component of dignity and mental health. Research has documented that moving from institutions to community residences is associated with increased independence and a decrease in maladaptive behaviors. Smaller-scale residential communities are better equipped to provide person-centered support that adapts to each individual's unique and changing needs.

Moreover, housing is a critical social determinant of health. Stable, affordable, and accessible housing is directly linked to improved physical and mental health outcomes. The "Housing First" model, which provides immediate access to permanent housing with voluntary supportive services,

has been proven to significantly increase housing stability, reduce homelessness, improve quality of life and clinical health indicators, and reduce costly emergency department visits and hospitalizations.

The Legal Imperative: Olmstead v. L.C. and the Integration Mandate

The right to live in the community is not merely a preference but a fundamental civil right. The U.S. Supreme Court's landmark 1999 decision in *Olmstead v. L.C.* established that the unjustified segregation of people with disabilities in institutions constitutes discrimination prohibited by the Americans with Disabilities Act (ADA). The Court held that states must provide services in the most integrated setting appropriate to an individual's needs.

Justice Ruth Bader Ginsburg powerfully articulated that institutional confinement "perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life." This integration mandate is not optional—it is a constitutional requirement. However, the promise of *Olmstead* remains unfulfilled for many. In 2023, an estimated 692,000 people, primarily individuals with intellectual and/or developmental disabilities, were on waiting lists for Medicaid Home and Community-Based Services waivers. These long waiting lists effectively trap individuals in institutions or leave them without necessary support in the community, undermining both the spirit and letter of the law.

Senate Bill 22 directly addresses this gap by mandating that the Department of Disabilities establish housing programs, elevating housing to a core statutory requirement. This legislation is essential to ensuring that Maryland complies with its *Olmstead* obligations and upholds the civil rights of all its citizens with intellectual and/or developmental disabilities.

The Essential Role of Affiliated Foundations in Sustainable Funding

The creation of affordable and accessible housing requires substantial and sustained investment. While government funding is essential, it is often insufficient to meet the scale of need. Affiliated foundations provide a vital mechanism to supplement public resources, foster innovation, and create sustainable funding streams.

Philanthropic foundations play an indispensable role in the disability housing ecosystem. Nationally, over 1,250 foundations actively fund independent housing for people with disabilities, holding collective assets of approximately \$879 billion. These foundations support diverse activities, from grants for construction of new affordable housing to funding individualized support models that give people with intellectual and/or developmental disabilities greater control over their care and support services.

Successful state programs in New York and Virginia demonstrate the power of partnerships between government, developers, service providers, and foundations. New York's Integrated Supportive Housing Program encourages collaborations that create non-certified housing opportunities with rental subsidies and capital funding. Virginia's State Rental Assistance Program

provides rental assistance specifically for individuals with developmental disabilities, allowing them to choose their own housing in the private market while receiving separate support services.

Senate Bill 22's authorization for the Department of Disabilities to create affiliated foundations mirrors these successful models. The bill includes robust safeguards: foundations must operate under policies approved by the Attorney General and State Ethics Commission, undergo annual independent audits, and submit annual reports to the Governor and Legislature. Importantly, foundation contributions are supplemental and not intended to replace regular state appropriations, ensuring that the state maintains its core funding responsibilities.

Positive Outcomes Expected from Senate Bill 22

If enacted, Senate Bill 22 will have profound and far-reaching positive impacts for people with intellectual and/or developmental disabilities in Maryland:

- Creation of a statutory mandate for housing programs, ensuring that housing is a core priority of the Department of Disabilities, not an optional service.
- Expansion of affordable, accessible, and integrated housing options, allowing more Marylanders with intellectual and/or developmental disabilities to live in communities of their choice.
- Reduction in unnecessary institutionalization and homelessness by providing viable community-based alternatives.
- Enhanced compliance with the Olmstead integration mandate and protection of the civil rights of people with intellectual and/or developmental disabilities.
- Establishment of sustainable funding mechanisms through affiliated foundations, enabling innovation and reducing sole reliance on state appropriations.
- Improved health outcomes, as stable housing serves as a critical foundation for physical and mental well-being.
- Greater independence, autonomy, and self-determination for individuals with intellectual and/or developmental disabilities, fostering dignity and empowerment.
- Relief for aging family supporters by providing secure housing options for their adult family members with intellectual and/or developmental disabilities.

This legislation represents a significant policy advancement that acknowledges housing as a fundamental human right and creates the infrastructure necessary to make that right a reality for thousands of Marylanders.

People with intellectual and/or developmental disabilities deserve the same opportunities as all Marylanders to live independently, participate fully in their communities, and pursue their dreams. Housing is the foundation upon which all other aspects of community life are built. Senate Bill 22 provides the legislative framework and sustainable funding mechanisms necessary to address the severe housing crisis facing this population. It upholds the integration mandate of the Olmstead decision, recognizes housing as a critical social determinant of health, and creates pathways for innovation through public-private partnerships.

The evidence is clear and compelling: community-based housing leads to better outcomes, greater independence, and improved quality of life for people with intellectual and/or developmental disabilities. By mandating the establishment of housing programs and authorizing affiliated foundations, this legislation represents a crucial investment in human dignity, civil rights, and the social fabric of Maryland.

For these reasons, People On the Go Maryland respectfully requests a favorable report on Senate Bill 22.

Contact Information:

Mat Rice, Executive Director
People On the Go Maryland
Email: mat@pogmd.org
Phone: 410-925-5706