

Chair and Members of the Committee:

My name is Jonathan Martinis. I write to urge you to advance HB 1593 with amendments necessary to fulfill its purpose.

Thank you, and especially Delegate Guyton, for your support of people with disabilities who rely on Self-Directed Services to live safely and well in their own homes rather than institutions. Thank you also for recognizing the Developmental Disabilities Administration's long and troubling history of making changes to those services without giving members of the community an adequate opportunity to review and comment upon them.

HB 1593 is badly needed. But, as written, it will not solve the problem it addresses.

This is because DDA makes abrupt, ill-considered, and harmful changes to Self-Directed Services in far more ways than "just" changing its Manual. In the last year alone, DDA has released thousands of pages of substantive and dangerous changes to policy and practice with little or no notice. Most recently, DDA proposed sweeping changes to the Community Pathways Waiver that, if implemented, could put thousands of people at risk of institutionalization, yet stakeholders were given only 30 days to review and comment.

This pattern must stop. HB 1593 is intended to stop it. But even if the bill is enacted as written, it will not do so. If DDA is required to provide 90 days' notice before changing its Self-Directed Services Manual, it will simply make those same changes in other ways, as it has done repeatedly.

Therefore, I respectfully request that the Committee amend HB 1593 by deleting the word "MANUAL" from proposed §7-409.1(a) and (b). With that amendment, the statute would read:

(A) THE DEPUTY SECRETARY SHALL PROVIDE NOTICE TO THE PUBLIC BEFORE MAKING CHANGES TO THE SELF-DIRECTED SERVICES DEVELOPED BY THE ADMINISTRATION.

(B) IF THE DEPUTY SECRETARY PROPOSES TO MAKE CHANGES TO SELF-DIRECTED SERVICES, THE DEPUTY SECRETARY SHALL RECEIVE AND CONSIDER COMMENTS ON THE PROPOSED CHANGES FROM THE PUBLIC FOR A PERIOD OF AT LEAST 90 DAYS AFTER THE DATE NOTICE IS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.

(C) THE DEPUTY SECRETARY MAY NOT ADOPT THE PROPOSED CHANGES UNTIL AFTER THE PUBLIC COMMENT PERIOD REQUIRED UNDER SUBSECTION (B) HAS ENDED.

This simple amendment would ensure that HB 1593 achieves its intended purpose: giving people with disabilities, their families, and other stakeholders a meaningful opportunity to

review and comment on significant changes to Self-Directed Services before those changes take effect.

Thank you again for your interest in this issue and your support of people with disabilities.