



TESTIMONY FOR HB1445 – Maryland Medical Assistance Program and Developmental Disabilities Administration – Home- and Community-Based Services Eligibility Determinations (Maryland Protecting People With Disabilities Act) – FAVORABLE

Bill Sponsor: Delegate Cullison

Committee: Health and Government Operations

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Jessica Gorski, Executive Committee

Position: FAVORABLE

Chair, Vice Chair, and Members of the Committee,

My name is Jessica Gorski, and I am submitting this testimony in strong support of HB1445 on behalf of the Maryland Legislative Coalition. Our coalition represents more than 30,000 Marylanders across every legislative district, united by a commitment to ensuring that state policy protects people’s health, stability, and dignity. We believe the government has a responsibility to safeguard the rights of people with disabilities and ensure that essential services are never disrupted due to administrative barriers.

HB1445 does exactly that.

This bill strengthens protections for Marylanders with intellectual and developmental disabilities by reforming how home eligibility- and community-based services are determined, renewed, and—when necessary—appealed. HB1445 eliminates the restrictive 90-day appeal deadline for individuals receiving Developmental Disabilities Administration (DDA) services, establishes clear eligibility requirements for the Maryland Medical Assistance Program, and prohibits procedural disenrollment except under narrow, well-defined circumstances. It also requires the Maryland Department of Health to provide accessible information to recipients and, when federally permissible, reserve waiver slots for individuals who lose eligibility through no fault of their own.

These protections are not theoretical. They are urgently needed.

Across Maryland, individuals with disabilities rely on home- and community-based services to live safely, independently, and with dignity. Yet administrative errors, paperwork delays, and inconsistent eligibility processes can result in sudden loss of services—placing individuals at risk of institutionalization, homelessness, medical decline, or loss of employment. HB1445 directly addresses these systemic failures by ensuring:

- No one is cut off from services due to procedural issues rather than true ineligibility
- Eligibility redeterminations use available data first, reducing unnecessary burdens on families
- Appeals are accessible and fair, without arbitrary deadlines
- Notices and communications are provided in plain language and accessible formats
- Waiver capacity is preserved for individuals disenrolled through administrative error

These reforms reflect the principles affirmed in *Olmstead v. L.C.*, which held that unjustified segregation of people with disabilities is discrimination under the ADA. HB1445 strengthens Maryland's compliance with this mandate by ensuring that individuals are not pushed out of community-based settings due to bureaucratic obstacles.

This legislation aligns squarely with the mission of the Maryland Legislative Coalition. It advances disability rights, strengthens public safety, promotes equity, and ensures that Maryland's systems uphold the dignity and autonomy of people with disabilities.

No Marylander should lose life-sustaining services because of paperwork delays, inaccessible processes, or administrative errors. HB1445 ensures that doesn't happen.

Thank you for your time and consideration. **We respectfully urge a FAVORABLE report on HB1445.**