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of Community Services

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House Ways and Means Committee HB 905 - Recipients of State and Local Government Funding – Reporting (Buy Maryland Reporting Requirements)

Position: Favorable with Amendment

Dear Chair Wilkins and Members of the Committee:

The Maryland Association of Community Services (MACS) is a nonprofit association of over 125 agencies across Maryland serving people with intellectual and developmental disabilities (IDD). MACS members provide residential, day, and supported employment services to thousands of Marylanders so that they can live, work, and fully participate in their communities. Our members deliver high-quality, community-based supports across the state, in the most integrated settings based on each person's individual plan.

On behalf of MACS, I write to express concerns with HB 905 as drafted.

While we appreciate the goal of transparency in the use of State funds, the bill is very broad and raises significant HIPAA and health privacy concerns given what is being requested. Community disability providers are Medicaid-funded organizations delivering home and community-based services. The reporting requirements, particularly descriptions of services, work locations, and subcontractor details, create a real risk of indirect disclosure of protected health information and could place providers in conflict with federal privacy law.

In addition, the requirement to list the address where services are performed is not feasible for community-based developmental disability providers. On a daily basis, services are delivered in people's homes, in employment settings, and throughout the community. The federal government requires that DD services be provided with tremendous flexibility and choice, and each person has a different schedule of where they receive supports to live lives of their choosing. Providers do not operate at a fixed location. Complying with a mandate to identify every service location would be virtually impossible considering the nature of the supports and services that are provided.

For these reasons, MACS respectfully requests amendments to exclude developmental disability community providers receiving Developmental Disabilities Administration funding from the reporting and tax-return requirements of HB 905.

We stand ready to work with the sponsor and the Committee to develop amendments that will address our concerns in a way that protects privacy and does not disrupt critical services for people with developmental disabilities.

Thank you for your consideration.

Best regards,

Greg Snyder