



Committee: HHS
Committee Review: Completed
Staff: Christine Wellons, Senior Legislative Attorney
Purpose: Final action – vote expected
Keywords: #IDDCommission

AGENDA ITEM #3D
March 28, 2023
Action

SUBJECT

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established

Lead Sponsor: Councilmember Albornoz

Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Katz, Jawando, Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- The HHS Committee recommended (3-0) the enactment of Bill 10-23 with an amendment.

DESCRIPTION/ISSUE

Bill 10-23 would:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

SUMMARY OF KEY DISCUSSION POINTS

- The amendment adopted by the HHS Committee would explicitly state that the IDD Commission may “advocate at the local, state, and federal levels to advance the needs of individuals with IDD.”

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Lisa Lorraine

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Reda Scheinberg

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Sara Portman Milner

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Susan Hartung

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Temi Oshiyoye

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M E M O R A N D U M

March 24, 2023

TO: County Council

FROM: Christine Wellons, Senior Legislative Attorney

SUBJECT: Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established

PURPOSE: Action – roll call vote expected

<p><u>Committee Recommendation:</u> The HHS Committee voted (3-0) to recommend the enactment of Bill 10-23 with amendments.</p>
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Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, sponsored by Lead Sponsor Councilmember Alborno and Co-Sponsors Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Katz, Jawando, Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe was introduced on February 14, 2023. A public hearing was held on March 7, 2023, and a Health and Human Services Committee worksession was held on March 9, 2023.

Bill 10-23 would:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

BACKGROUND

The purpose of Bill 10-23 would be to establish an Intellectual and Developmental Disabilities (IDD) Commission in the County to advise the County Council and County Executive, and to better coordinate the provision of services to individuals with IDD and their families.

The bill would seek to address the daunting complexities of the challenges faced by the estimated more than 40,000 persons of all ages who have intellectual and developmental disabilities in the County, as well as their family members, advocates, and providers.

BILL SPECIFICS

The bill would establish an IDD Commission of 19 voting members and 6 non-voting members. The Commission would:

- (a) promote direct communication among families, support staff, private and public organizations, and the general public regarding programs and services for individuals with intellectual and developmental disabilities;
- (b) institute and conduct educational and other programs, meetings, and conferences to promote the welfare of individuals with intellectual and developmental disabilities;
- (c) cooperate with public and private agencies, departments, and organizations that provide services and programs for individuals with intellectual and developmental disabilities;
- (d) advise the County Council and the County Executive on matters involving the needs of individuals with intellectual and developmental disabilities;
- (e) review and report on current gaps in services, including issues of childcare, education, discrimination, transition to adult services, resource coordination, housing, transportation, employment, health care, recreation, and recruitment of providers and direct support staff;
- (f) prepare recommendations on best practices, innovations in service areas, and information on costs associated with recommended programs and services for individuals with IDD; and
- (g) work with key organizations at the county and state level to best advance the needs of county residents with IDD.

The Commission would report annually to the County Council and the County Executive. The Commission would be staffed by the Department of Health and Human Services.

SUMMARY OF THE PUBLIC HEARING

Mr. Hartman spoke on behalf of the County Executive. The County Executive supports Bill 10-23 as a measure that will promote direct communications, support best practices, and provide advocacy at the state and federal levels.

Providers of services and advocates also spoke in support of the bill. They noted that accessing services for individuals with IDD is challenging and complex. Access is particularly difficult for Hispanic residents. Advocates stated that culturally competent communications are essential.

Multiple parents and family members of individuals with IDD spoke in support of the bill. A mother of an autistic child spoke in support of creating the IDD Commission because more services are needed to help individuals who do not speak English fluently.

Parents also stated that participation by family members and individuals in the Commission is essential to advance an inclusive community.

SUMMARY OF IMPACT STATEMENTS

The Office of Management and Budget estimates that an additional part-time (0.5) FTE would be needed at DHHS to staff the IDD Commission. The **fiscal** impact on expenditures is estimated to be (\$52,200). The six-year estimated impact is (\$370,200).

The Office of Legislative Oversight (OLO) estimates that the bill would have an insignificant impact upon **economic** conditions in the County, and would have no impact upon **climate** indicators in the County.

OLO expects that the bill would have a positive impact upon **racial equity and social justice** in the County, and makes the following recommendation:

- “Consider items offered for Bill 8-23 to advance RESJ through BCCs. Considerations include amending the RESJ Act to require BCCs to undergo RESJ training and develop RESJ action plans; amending Executive Regulations to require BCCs to develop RESJ action plans; and requesting a diversity audit of BCCs. Particularly for the IDD Commission, integrating a RESJ focus and ensuring diversity could help address racial inequities and disparities experienced by BIPOC constituents with IDD.”

SUMMARY OF THE COMMITTEE’S WORKSESSION

The Committee amended the bill as follows to expressly grant the IDD Commission with the authority to advocate at the state and federal levels without first obtaining the permission of the Office of Intergovernmental Relations (OIR).

Amend lines 69-91 as follows.

The Commission must:

* * *

(f) prepare recommendations on best practices, innovations in service areas, and information on costs associated with recommended programs and services for individuals with IDD; [[and]]

(g) work with key organizations at the county and state level to best advance the needs of [[county]] County residents with IDD; and

(h) advocate at the local, state, and federal levels to advance the needs of individuals with
IDD.

Next step: Roll call vote on whether to enact Bill 10-23 with amendments, as recommended by the HHS Committee.

<u>This packet contains:</u>	<u>Circle #</u>
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Bill No. 10-23
Concerning: Health – Intellectual and
Developmental Disabilities
Commission - Established
Revised: 03/21/23 Draft No. 4
Introduced: February 14, 2023
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Alborno
Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers
Katz, Jawando, Sayles, Fani-González, Stewart, Council President Glass, and Councilmember
Balcombe

AN ACT to:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

By adding

Montgomery County Code
Chapter 24. Health and Sanitation
Article X, Intellectual and Developmental Disabilities Commission
Sections 24-71, 24-72, 24-73, 24-74, 24-75, and 24-76

The County Council for Montgomery County, Maryland approves the following Act:

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

Sec. 1. Sections 24-71, 24-72, 24-73, 24-74, 24-75, 24-76 are added as follows:

ARTICLE X. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
COMMISSION.

24-71. Definitions and Policy Statement.

(a) Definitions. The following terms have the meanings indicated.

Commission means the Intellectual and Developmental Disabilities Commission established under this article.

Intellectual and developmental disabilities or IDD means a severe, chronic disability of an individual that:

- (1) is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (2) is manifested before the individual attains age 22;
- (3) is likely to continue indefinitely;
- (4) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated;
and
- (5) results in the substantial functional limitations in 3 or more of the following areas of major life activity:
 - (A) self-care;
 - (B) receptive and expressive language;
 - (C) learning;
 - (D) mobility;
 - (E) self-direction;
 - (F) capacity for independent living;

(G) self-direction; and

(H) economic self-sufficiency.

(b) Policy statement.

(1) Montgomery County is committed to creating an inclusive community for people with IDD so that they are afforded every opportunity to live a life of their choosing with the supports needed to participate fully in the life of the County.

(2) It is the public policy of the County to:

(A) promote and initiate ongoing community input to support the needs of individuals with intellectual and developmental disabilities;

(B) improve communication about programs and services among those with IDD and their families, advocates, support staff, public and private agencies, and the general public;

(C) identify service needs and inform decisions on services for individuals with intellectual and developmental disabilities; and

(D) work towards improving accessibility to services for individuals with intellectual and developmental disabilities.

24-72. Commission Established.

There is an Intellectual and Developmental Disabilities Commission.

24-73. Membership; appointment; terms.

(a) The Commission consists of 19 voting members and 6 non-voting members.

(b) The voting members are appointed by the County Executive, subject to Council confirmation, and must include:

(1) 2 individuals with IDD;

(2) 9 family members, guardians, or support staff of individuals with IDD;

(3) 7 individuals representing service providers or advocacy organizations that [[supports]] support individuals with IDD; and

(4) 1 member of the Commission on People with Disabilities.

(c) The non-voting members are designees of the following agencies:

(1) Department of Health and Human Services;

(2) Department of Recreation;

(3) Montgomery County Public Schools;

(4) Montgomery College;

(5) WorkSource Montgomery; and

(6) Maryland Developmental Disabilities Administration.

24-74. Duties.

The Commission must:

(a) promote direct communication among families, support staff, private and public organizations, and the general public regarding programs and services for individuals with intellectual and developmental disabilities;

(b) institute and conduct educational and other programs, meetings, and conferences to promote the welfare of individuals with intellectual and developmental disabilities;

(c) cooperate with public and private agencies, departments, and organizations that provide services and programs for individuals with intellectual and developmental disabilities;

- (d) advise the County Council and the County Executive on matters involving the needs of individuals with intellectual and developmental disabilities;
- (e) review and report on current gaps in services, including issues of childcare, education, discrimination, transition to adult services, resource coordination, housing, transportation, employment, health care, recreation, and recruitment of providers and direct support staff;
- (f) prepare recommendations on best practices, innovations in service areas, and information on costs associated with recommended programs and services for individuals with IDD; [[and]]
- (g) work with key organizations at the county and state level to best advance the needs of [[county]] County residents with IDD; and
- (h) advocate at the local, state, and federal levels to advance the needs of individuals with IDD.

24-75. Meetings; officers; compensation; reports.

- (a) Meetings. The Commission must meet at the call of the Commission chair and at least 6 times annually.
- (b) Quorum. A majority of the voting members of the Commission constitutes a quorum for the transaction of business.
- (c) Officers. The Commission must elect from among its voting members a chair, vice-chair, secretary, and other officers it deems appropriate.
- (d) Compensation. A member must serve without compensation, but the member may request reimbursement for mileage and dependent care costs at rates established by the County.
- (e) Annual report. The Commission must submit annually a report to the County Executive and County Council summarizing its activities,

106 needs, recommendations and the degree to which the goals of the
107 Commission are being met.

108 **24-76. Staff support.**

109 The Department of Health and Human Services must provide the staff support,
110 including administrative and programmatic support, necessary for the
111 Commission to perform its duties.

Fiscal Impact Statement

Office of Management and Budget

Bill 10-23

Health - Intellectual and Developmental Disabilities Commission

Bill Summary

Bill 10-23 establishes an Intellectual and Developmental Disabilities (IDD) Commission and creates its guidelines and requirements.

Fiscal Impact Summary

Expenditures increase by \$52,200 in FY24, \$63,600 in FY25, and beyond for a part-time position in the Department of Health and Human Services (DHHS) to support the commission. Revenues are not impacted.

Fiscal Year	2024	2025	2026	2027	2028	2029	Total
Personnel Costs	\$46,000	\$62,000	\$62,000	\$62,000	\$62,000	\$62,000	\$356,000
Operating Expenses	\$6,200	\$1,600	\$1,600	\$1,600	\$1,600	\$1,600	\$14,200
Total Expenditures	\$52,200	\$63,600	\$63,600	\$63,600	\$63,600	\$63,600	\$370,200
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Impact	(\$52,200)	(\$63,600)	(\$63,600)	(\$63,600)	(\$63,600)	(\$63,600)	(\$370,200)
FTE	0.50	0.50	0.50	0.50	0.50	0.50	

Fiscal Impact Analysis

The creation of the IDD Commission would require dedicated support from HHS to provide the staffing and programmatic support required. The impact from this would come from the creation of a 0.5 FTE that would cost up to \$46,000 in FY24, assuming 3 months lapse, and would increase up to \$62,000 in FY25 assuming a full year and beyond to annualize the position. The creation of the 0.5 FTE would also require onboarding costs of up to \$6,200 in FY24 and recurring operational expense costs of \$1,600 in FY25 and beyond. This Fiscal Impact Statement anticipates merit staff to the Commission would be hired three months into FY24. DHHS indicates that if the bill were implemented in FY23, a contractual position could be hired in the current year. Hiring contractual staff would increase operating costs by approximately \$16,000 in FY23. These potential operating costs are not provided for in the current year budget. Should staff resources be made available in FY23, FY24 costs would also increase by approximately \$16,000 to reflect the continuation of contractual staffing of the Commission in the first quarter of FY23 until a merit position can be hired.

Staff Impact

The Department of Health and Human Services (HHS) will be required to provide staff support, both administratively and programmatic, necessary for the Commission to perform its duties. As indicated above this will require the creation of a 0.5 FTE to support the IDD Commission.

Actuarial Analysis

The bill is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

The bill is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.

Other Information



Later actions that may impact revenue or expenditures if future spending is projected

The bill does not authorize future spending.

Contributors

Abdul Rauf, Office of Management and Budget
Grace Pedersen, Office of Management and Budget
Jason Rundell, Department of Health and Human Services



Economic Impact Statement

Montgomery County, Maryland

Bill 10-23

Health – Intellectual and Developmental Disabilities Commission – Established

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that enacting Bill 10-23 would have an insignificant impact on economic conditions in the County in terms of the Council's priority indicators.

BACKGROUND AND PURPOSE OF BILL 10-23

The National Institute of Child Health and Human Development describes IDD as “differences that are usually present at birth and that uniquely affect the trajectory of the individual’s physical, intellectual, and/or emotional development.” IDDs can affect multiple body parts or systems, such as the nervous system, sensory system, and metabolism. Examples of IDDs include cerebral palsy, Down syndrome, and autism spectrum disorders (ASD).¹

If enacted, Bill 10-23 would establish an Intellectual and Developmental Disabilities Commission in the County. The intent of establishing the IDD Commission is “to advise the County Council and County Executive, and to better coordinate the provision of services to individuals with IDDs and their families.”² If established, the IDD Commission would join the broader group of over 80 Boards, Committees, and Commissions (BCCs) in the County.³

The IDD Commission established by the Bill would be comprised of 19 voting members and 6 non-voting members and receive staff support from the Department of Health and Human Services. The Commission would be required to report to the County Council and County Executive annually. Prescribed responsibilities for the Commission range from instituting and conducting educational programs, to reviewing and reporting on current gaps in services. A more detailed list of responsibilities is available within the introduction staff report.⁴

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, was introduced by the Council on February 14, 2023.

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

Per Section 2-81B of the Montgomery County Code, the purpose of this Economic Impact Statement is to assess the impacts of Bill 10-23 on County-based private organizations and residents in terms of the Council's priority economic indicators and whether the Bill would likely result in a net positive or negative impact on overall economic conditions in the County.⁵ While establishing the Intellectual and Developmental Disabilities Commission could have indirect economic

¹ [nichd.nih.gov, “About Intellectual and Developmental Disabilities \(IDDs\).”](https://www.nichd.nih.gov/about/idds)

² [Introduction Staff Report for Bill 10-23.](#)

³ [Montgomerycountymd.gov, Board, Committees, and Commissions.](https://montgomerycountymd.gov/Board,Committees,andCommissions)

⁴ [Introduction Staff Report for Bill 10-23.](#)

⁵ Montgomery County Code, [Sec. 2-81B.](#)

impacts, OLO is unable to predict the commission's performance. Therefore, OLO anticipates that Bill 10-23 would have insignificant impacts on private organizations, residents, and overall economic conditions in the County in terms of the economic indicators prioritized by the Council.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

DISCUSSION ITEMS

Not applicable

WORKS CITED

Montgomery County Code. [Sec. 2-81B, Economic Impact Statements](#).

Montgomery County Council. [Introduction Staff Report for Bill 10-23](#). Introduced February 14, 2023.

Montgomerycountymd.gov. [Board, Committees, and Commissions](#). Office of the County Executive.

Nichd.nih.gov. "[About Intellectual and Developmental Disabilities \(IDDs\)](#)." National Institute of Child Health and Human Development. National Institutes of Health.

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

AUTHOR

Stephen Roblin (OLO) prepared this report.

Climate Assessment

Office of Legislative Oversight

Bill 10-23: Health – Intellectual and Developmental Disabilities Commission – Established

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 10-23 will have no impact as the bill proposes the establishment of a commission with a purview outside of the County's contribution to addressing climate change.

BACKGROUND AND PURPOSE OF BILL 10-23

The National Institute of Child Health and Human Development describes Intellectual and Developmental Disabilities (IDD) as “differences that are usually present at birth and that uniquely affect the trajectory of the individual’s physical, intellectual, and/or emotional development.” IDD can affect multiple body parts or systems, such as the nervous system, sensory system, and metabolism. Examples of IDDs include cerebral palsy, Down syndrome, and autism spectrum disorders.¹

If enacted, Bill 10-23 would establish an Intellectual and Developmental Disabilities Commission in the County. The intent of establishing the IDD Commission is “to advise the County Council and County Executive, and to better coordinate the provision of services to individuals with IDD and their families.”² If established, the IDD Commission would join the broader group of over 80 Boards, Committees, and Commissions (BCCs) in the County.³

The IDD Commission established by the Bill would be comprised of 19 voting members and 6 non-voting members and have staff support from the Department of Health and Human Services. The Commission would be required to report to the County Council and County Executive annually. Prescribed responsibilities for the Commission range from instituting and conducting educational programs, to reviewing and reporting on current gaps in services. A more detailed list of responsibilities is available within the introduction staff report.⁴

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, was introduced by the Council on February 14, 2023.

ANTICIPATED IMPACTS

As the bill proposes the establishment of a commission with a purview outside of the County's contribution to addressing climate change, OLO anticipates Bill 10-23 will have no impact, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁵ OLO does not offer recommendations or amendments as Bill 10-23 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ “About Intellectual and Developmental Disabilities (IDDs),” National Institute of Child Health and Human Development, National Institutes of Health. <https://www.nichd.nih.gov/health/topics/idds/conditioninfo>

² Introduction Staff Report for Bill 10-23, Introduced February 14, 2023.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230214/20230214_2C.pdf

³ Board, Committees, and Commissions, Office of the County Executive, Montgomery County, Maryland.

<https://www.montgomerycountymd.gov/boards/list.html>

⁴ Introduction Staff Report for Bill 10-23

⁵ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 10-23: HEALTH – INTELLECTUAL AND DEVELOPMENTAL DISABILITIES COMMISSION – ESTABLISHED

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 10-23 will have a positive impact on racial equity and social justice (RESJ) in the County. The Intellectual and Developmental Disabilities (IDD) Commission could advance social justice in the County through addressing inequities in services and supports for constituents with IDD. Further, data on the Developmental Disabilities Administration's waitlist suggests that Black constituents with IDD may have a particular need for addressing gaps in services. However, given the resources devoted to the Bill and the lack of RESJ focus in the scope of the proposed commission, OLO anticipates the positive RESJ impact will be minimal.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.²

PURPOSE OF BILL 10-23

The National Institute of Child Health and Human Development describes IDD as “differences that are usually present at birth and that uniquely affect the trajectory of the individual’s physical, intellectual, and/or emotional development.”³ IDD can affect multiple body parts or systems, such as the nervous system, sensory system, and metabolism.⁴ Examples of IDD include cerebral palsy, Down syndrome, and autism spectrum disorders (ASD).⁵

If enacted, Bill 10-23 would establish an Intellectual and Developmental Disabilities Commission in the County. The intent of establishing the IDD Commission is “to advise the County Council and County Executive, and to better coordinate the provision of services to individuals with IDD and their families.”⁶ If established, the IDD Commission would join the broader group of over 80 Boards, Committees, and Commissions (BCCs) in the County.⁷

The IDD Commission established by the Bill would be comprised of 19 voting members and 6 non-voting members and receive staff support from the Department of Health and Human Services. The Commission would be required to report to the County Council and County Executive annually. Prescribed responsibilities for the Commission range from instituting and conducting educational programs, to reviewing and reporting on current gaps in services. A more detailed list of responsibilities is available within the introduction staff report.⁸

Bill 10-23, Health – Intellectual and Developmental Disabilities Commission - Established, was introduced by the Council on February 14, 2023.

RESJ Impact Statement

Bill 10-23

IDD AND RACIAL EQUITY

People with IDD of all races and ethnicities experience numerous systemic inequities. A 2022 article published in the Journal of the American Medical Association (JAMA) noted that people with IDD had among the highest rates of infection and death during the COVID-19 pandemic.⁹ The researchers also identified three systemic health inequities experienced by people with IDD:

- Stigma, exclusion, and devaluing the equal worth of persons with IDD;
- Underrepresentation in population epidemiology and research; and
- Inadequate access to high-quality care and social services tailored to needs.¹⁰

The interaction of structural racial inequities within the social determinants of health,¹¹ and structural inequities experienced by people with IDD results in worse outcomes for Black, Indigenous, and Other People of Color (BIPOC) with IDD. For instance:

- A study of national survey data on health status among adults with IDD found that “Latino and Black adults with IDD had worse health outcomes compared to White adults with IDD.”¹²
- A study of national survey data on health service utilization among adults with IDD found that BIPOC “are disadvantaged in several essential areas of health care utilization and that Hispanic Americans are particularly underserved.”¹³
- A study of over 30 million death certificates in the United States from 2005 to 2017 found that BIPOC adults with IDD are at a greater risk of premature death than White adults with IDD. The study also found that racial disparities in age at death was most pronounced among adults with cerebral palsy.¹⁴
- A 2021 report from the Office of Special Education Programs (OSEP) within the U.S. Department of Education highlighted that, among children with disabilities served under the Individuals with Disabilities Education Act (IDEA) Part B, “Black or African American students with disabilities are more likely to be identified with intellectual disability or emotional disturbance than all students with disabilities and more likely to receive a disciplinary removal than all students with disabilities.” The study also found that “American Indian or Alaska Native students with disabilities are more likely to drop out than all students with disabilities and less likely to be inside regular class less than 40% of the day than all students with disabilities.”¹⁵

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 10-23 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who are the primary beneficiaries of this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

RESJ Impact Statement

Bill 10-23

For the first question, OLO could not locate comprehensive data on rates of people with IDD (both children and adults) by race and ethnicity at the County, state, or national level. Thus, as an approximation, OLO considered the demographics of County adults served through the Maryland Developmental Disabilities Administration (DDA) Community Services Program.

Data in Table 1 demonstrates that White and Black constituents are overrepresented among DDA's program participants; Asian and Latinx constituents are underrepresented, while Native American and Pacific Islander constituents are proportionately represented. Black constituents are also overrepresented among people on the waiting list for DDA services.

Table 1: Percent of County Adult Population and People Served through DDA Community Services Program by Program, Race and Ethnicity, Montgomery County, Fiscal Year 2022

Race and ethnicity	County Population 18 and Over	Waiver Programs – New Participants	Transitioning Youth – New Participants	Traditional/Self-Directed Groups – All Participants	Waiting List
Asian	16.0	12.4	12.8	9.8	12.7
Black	18.1	28.2	28.9	23.4	30.6
Native American	0.6	0.0	0.0	0.1	0.2
Pacific Islander	0.1	0.0	0.0	0.0	0.3
White	45.6	52.9	50.0	58.1	46.9
Latinx	18.6	10.6	13.9	2.3	10.2

Source: 2020 Decennial Census, Census Bureau and Report on Demographic Data of Individuals Served through DDA Community Services Program, Maryland Department of Health.¹⁶

For the second question, OLO considered how this Bill could address systemic inequities for constituents with IDD, and in particular BIPOC constituents with IDD. Establishing an IDD Commission could help to better coordinate services and supports for constituents with IDD. In their 2022 Annual Report, the County's Commission on People with Disabilities identified the establishment of an independent advisory council focused on developmental disabilities as a budget priority for FY24. The Commission proposed this was necessary to better educate and advise the County on developmental disabilities, and to improve service coordination at the state level.¹⁷ On the other hand, the scope of the IDD Commission prescribed in Bill 10-23 does not specify activities related to RESJ. Thus, it is unclear whether racial inequities experienced by BIPOC constituents with IDD will be addressed through the proposed commission.

Taken together, OLO anticipates Bill 10-23 will have a positive impact on RESJ in the County. The IDD Commission could advance social justice in the County through addressing inequities in services and supports for constituents with IDD. Further, data on the DDA's waitlist suggests that Black constituents with IDD may have a particular need for addressing gaps in services.

The Office of Management and Budget estimates Bill 10-23 would cost between \$52,200 and \$63,600 annually for personnel expenses.¹⁸ Given the resources devoted to the Bill and the lack of RESJ focus in the scope of the proposed commission, OLO anticipates the positive RESJ impact will be minimal.

RESJ Impact Statement

Bill 10-23

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹⁹ OLO anticipates Bill 10-23 will have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, if the Council seeks to improve the RESJ impact of the Bill, OLO offers one item for consideration:

- **Consider items offered for Bill 8-23 to advance RESJ through BCCs.** Considerations include amending the RESJ Act to require BCCs to undergo RESJ training and develop RESJ action plans; amending Executive Regulations to require BCCs to develop RESJ action plans; and requesting a diversity audit of BCCs. Particularly for the IDD Commission, integrating a RESJ focus and ensuring diversity could help address racial inequities and disparities experienced by BIPOC constituents with IDDs.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

¹ Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid

³ “About Intellectual and Developmental Disabilities (IDDs),” National Institute of Child Health and Human Development, National Institutes of Health. <https://www.nichd.nih.gov/health/topics/idds/conditioninfo>

⁴ Ibid

⁵ Ibid

⁶ Introduction Staff Report for Bill 10-23, Montgomery County Council, Introduced February 14, 2023.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230214/20230214_2C.pdf

⁷ Board, Committees, and Commissions, Office of the County Executive, Montgomery County, Maryland.

<https://www.montgomerycountymd.gov/boards/list.html>

⁸ Introduction Staff Report for Bill 10-23

⁹ Kenton Johnston, et al, “Health Equity for Individuals With Intellectual and Developmental Disabilities,” October 7, 2022.

<https://jamanetwork.com/journals/jama/fullarticle/2797393>

¹⁰ Ibid

¹¹ “Racism and Health,” Centers for Disease Control and Prevention. <https://www.cdc.gov/minorityhealth/racism-disparities/index.html>

¹² Sandra Magaña, et al, “Racial and Ethnic Health Disparities Among People With Intellectual and Developmental Disabilities,” June 1, 2016. <https://pubmed.ncbi.nlm.nih.gov/27268472/>

RESJ Impact Statement

Bill 10-23

¹³ Haleigh M. Scott and Susan Havercamp, “Race and Health Disparities in Adults with Intellectual and Developmental Disabilities Living in the United States,” *Intellectual and Developmental Disabilities*, December 1, 2014.

<https://pubmed.ncbi.nlm.nih.gov/25409129/>

¹⁴ Scott Landes, et al, “Racial-Ethnic Inequities in Age at Death Among Adults with/without Intellectual and Developmental Disability in the United States,” *Preventative Medicine*, March 2022. <https://www.maxwell.syr.edu/research/article/racial-ethnic-inequities-in-age-at-death-among-adults-with-without-idd>

¹⁵ “OSEP Releases Fast Facts on the Race and Ethnicity of Children with Disabilities Served under IDEA Part B,” Office of Special Education and Rehabilitative Services Blog, U.S. Department of Education, August 10, 2021.

<https://sites.ed.gov/osers/2021/08/osep-releases-fast-facts-on-the-race-and-ethnicity-of-children-with-disabilities-served-under-idea-part-b/>

¹⁶ Memo from Dennis R. Schrader to Chair of Senate Budget and Taxation Committee and Chair of House Appropriations Committee 3, January 9, 2023. https://dlslibrary.state.md.us/publications/JCR/2022/2022_112-113.pdf

¹⁷ Commission on People with Disabilities Annual Report, Department of Health and Human Services, October 1, 2022.

<https://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/CPWD2022AnnualReport.pdf>

¹⁸ Fiscal Impact Statement for Bill 10-23, Office of Management and Budget, March 2, 2023.

¹⁹ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

Written testimony Bill 10-23

Thank you for accepting my support for Bill 10-23! Support for our Autism and I/DD community is so needed and too many times overlooked.

This is not an intentional 'leaving out' but it is how funding comes from the state and federal government. We are the only population that is growing and growing, graduating into independent and community living, all on our own.. even with our intensive needs.

In my opinion, not only is this Commission desperately needed for our families of diagnoses children, it is necessary for our adult population as well. What the County really needs is an Autism Specialist to head up and link all the services available in the county... maybe that's a bill for another day.

Families flounder throughout the aging process of their children and resources like day programs, emergency services, med management, employment and housing are scarce. The hiring challenges are at a crisis level not only in our county, but state wide.

On behalf of hundreds of families, amazingly gifted individuals and the adorable little tykes who love to line up their trucks, thank you Mr. Albornoz and the entire council staff for recognizing this great need... we are desperate!!

Jenn Lynn
Upcounty Community Resources, Inc.

Bill 10-23 to establish an Intellectual and Developmental Disabilities Commission
Testimony IN FAVOR by Karen Leggett

I am writing in support of Bill 10-23 to establish an Intellectual and Developmental Disabilities Commission in Montgomery County. I am the parent of a young adult with intellectual differences and the chair of the Montgomery County Transition Work Group, a coalition of government agencies, service providers and individuals focused on improving the lives of people with developmental disabilities/autism as they transition beyond high school.

The CDC estimates that one in **six, about 17%, of children aged 3 through 17 years has one or more developmental disabilities**, including Down syndrome, autism spectrum disorders, cerebral palsy, spina bifida, fetal alcohol syndrome, brain injury and more. The Arc Montgomery County estimates that **one in ten households in our county includes a child or adult with IDD.**

After generations of living out their lives in institutions, **more and more of our citizens with IDD are living independently - working, socializing and aging in the community. This new Commission (which must include neurodiverse members) will help ensure their needs are identified, understood and met**, by reviewing potential gaps in services and collaborating with other organizations to make sure needs are addressed in a timely manner.

There are at least **600 individuals in Montgomery County on waiting lists** for services from the Maryland Developmental Disability Administration: these are Montgomery County citizens who deserve assistance, opportunities and attention now - not in some future year. The Commission can identify ways to address these needs across the lifespan from infancy through aging.

The Commission on People with Disabilities rightly focuses primarily on needs that cut across a wide variety of disabilities in transportation, accessibility, pedestrian safety, recreation, etc. This new Commission will be able to focus on the very particular needs of our neurodiverse citizens, **providing information, recommendations and a liaison with the County Council, the County Executive and State agencies and legislators.**

Karen Morgret



Councilmember Gabe Albornoz,
Beth Schuman, LCSW-C, Chief of Staff
Stella Werner Council Office Building,
100 Maryland Ave,
Rockville, MD 20850

March 6, 2023

Dear Councilmember Gabe Albornoz, and Beth Schuman, LCSW-C, Chief of Staff,

I am writing this letter of support as a citizen of Montgomery County and an employee of a local provider (TLC-The Treatment and Learning Centers, Inc.) that provides supports for individuals with IDD/DD in Support of Bill 10-23 to Establish an Intellectual and Developmental Disabilities Commission. This Commission is greatly needed in Montgomery County Maryland. For full disclosure, I am a commissioner on The Commission for People with Disabilities (CPWD) and co-chair of the Developmental Disabilities Advisory Council (DDAC) here in Montgomery County.

Since 1984, Maryland has been a participant in Medicaid waivers. In 1984, the United States Federal Government approved an application from the Maryland Developmental Disabilities Administration (DDA) to use Medicaid funding to provide home and community-based services instead of services in institutions such as Great Oaks and Rosewood Center.

Until Medicaid home and community-based service (HCBS) waivers were introduced, states could only receive federal funding to provide long-term supports to people with developmental disabilities for institutional care. Because federal funding in Maryland pays half the cost of care, the waivers made it possible to expand home and community-based services and close institutions. The services provided in HCBS waiver are required to cost less than being in an institution., ensure the protection of people's health and welfare, provide adequate and reasonable provider standards to meet the needs of the target population, and ensure that services follow an individualized and person- centered plan of care.

In January 2014, the final rule for home and community-based services (HCBS) was approved. The final rule addresses several sections of Medicaid law under which states may use federal Medicaid funds to pay for HCBS. The rule supports enhanced quality in HCBS programs, adds protections for individuals receiving services. In addition, this rule reflects CMS' intent to ensure that individuals receiving services and supports through Medicaid's HCBS programs have full access to the benefits of community living and can receive services in the most integrated setting. The final rule includes a provision requiring states offering HCBS under existing state plans or waivers to develop transition plans to ensure that HCBS settings will meet final rule's requirements.

The DDA is going through a cultural and systems change that has not occurred since Maryland DDA waivers began in 1984. The changes currently going on will impact services provided to participants, how providers do business, how providers are audited, and staff needed. Now is the time for a new commission that can fully focus on all the upcoming changes that are going on with the HCBS final Rule included in a new DDA Community Pathways Waiver and community Supports Waiver that will go into effect in July 2023.

My suggestion for the new Intellectual and Developmental Disabilities Commission is that you add another no voting member with a focus on Mental Health. Mental health has become a major barrier since COVID with many that have IDD/DD/Autism and all other related disabilities.

Thank you in advance for your consideration of my input.

Sincerely,

Karen Morgret

Karen Morgret



**Testimony in Support of
Bill 10-23, Health - Intellectual and Developmental Disabilities Commission**

**Lisa Lorraine, Jubilee Association of Maryland
March 7, 2023**

Good afternoon, council members. My name is Lisa Lorraine, and I am the Breaking Barriers Manager at Jubilee Association of Maryland. Jubilee is a Developmental Disabilities Administration (DDA) residential service provider helping more than 150 adults with I/DD live full and inclusive lives right here in Montgomery County. We received a grant in 2021 to conduct outreach to communities that have been underserved by developmental disability services. Data shows that in Montgomery County, people of Hispanic and Asian descent are not accessing services at the same rates that they are living in our community.

I am here to support Bill 10-23 to create an Intellectual and Developmental Disabilities Commission. We see at Breaking Barriers how much more attention and advocacy is needed for the IDD community in Montgomery County.

Services for people with IDD are complicated to access even for people who are native English-speaking, high-income and college-educated. You can imagine how access becomes much more complicated for people who speak English as a second language, people who struggle to pay for food and rent, or those who don't have access to a computer and are not email users.

Since 2021, I have worked with over 125 Montgomery County families, two-thirds of whom are Hispanic. I've worked with both children and adults who need my help to access services. I'd like to share three recent stories with you to illustrate the needs of this community.

I helped the family of a 22-year-old with Down syndrome make their first appointment to apply for social security benefits, a benefit the young woman has likely been eligible for since age 18, but the family did not know that she could apply for.

I called the office of a neurologist that is a Medicaid provider to advocate for a family who was told they needed to bring their own Spanish interpreter to the appointment even though the medical office must provide an interpreter under law.

And just last week, I assisted a family that was trying to understand their son's school placement and needed copies of certain school documents. It took three attempts with their MCPS middle school to get the documents needed.



Having heard these examples, it may not surprise you that I commonly hear from families that they have felt discriminated against.

In my work, I also collaborate with DDA service providers and many other disability professionals. If the public systems and the providers continue doing business as usual, we will continue to have inequitable outcomes. But if communication is improved through culturally competent staff, flexibility in communication methods, training in how to use interpreters, and other strategies, we may have a shot of having equitable services for ALL people with IDD in our county.

A new Commission would give space and resources to focus on the needs of our most vulnerable residents. The proposed commission would have the ability to advocate at the local, state and federal levels which is much needed as people with IDD interact with all of these systems. The new commission must focus on ALL people with IDD especially those who have been marginalized by the system because of their race, ethnicity, socioeconomic status or language abilities. Thank you.

DDA Commission Testimony:

As a parent of an adult who participates in Self-Direction Community Pathways Waiver since 2008, and a longtime advocate, I support Bill 10-23, Health – Intellectual and Developmental Disabilities Commission

While I respect the many individuals receiving provider base services, also strongly support the following areas being represented in the new Commission:

Self-Direction - The participant and families using self-directed services need representation on Commission/Committee.

- There are issues with the roll out of EVV by DDA, which is extremely frustrating and creating a lot of stress for self-direction participants and families unnecessarily. DDA did a poor job of the rollout and many families are very concerned about the long-term consequences of EVV on participants. We need feedback from DDA on EVV rollout and implementation. We need to assure DDA doesn't continue to put roadblocks up unnecessarily on self-directed individuals and their supporters.

Long Term Planning - needed for all individuals with IDD whether people are served by provider model or Self-Direction model or something in-between. Individuals will need support to manage their services so individuals will continue to be served regardless of family support.

IDD individuals not served by DDA or other services need to be represented. Some of these individuals were lost in the school system and never identified. There are many older individuals of aging parents, who will need support once families aren't there to support them.

Many Individuals with IDD may have co-morbidities such as mental health issues and other disabilities. How will these be addressed by a DD Commission?

Regards

Reda Sheinberg

[REDACTED]
[REDACTED]

Testimony re: Bill 10-23 to establish an Intellectual and Developmental Disabilities Commission IN FAVOR by Sara Portman Milner

My name is Sara Portman Milner and I am the co-founder and Director of Student Services at Sunflower Bakery. At Sunflower Bakery and Café Sunflower, we are dedicated to our mission of providing skilled job training and employment for adults 18+ with learning differences in pastry arts, production baking, barista service and front-of-house operations. We are an inclusive work-force training organization. Our vision is an inclusive society where all persons, regardless of their differences, have opportunities to lead productive lives.

It is our belief that by establishing an Intellectual and Developmental Disabilities Commission in Montgomery County, that an under-represented and under-heard group of residents will have the opportunity to have their interests presented, prioritized and addressed through the link to the County Council, County Executive and on to critical State agencies and legislators. Precedent has been set for this through the Montgomery County Commission on People with Disabilities. I served on what was then known as the MC "Commission on the Handicapped" from 1983 for about 7 years. Much was accomplished in moving forward the agenda for physical access to/in buildings, kneeling buses to accommodate wheelchairs, hearing access through interpreters provided, vision access with large print materials or voice alternatives, and more. However, that accessibility was focused on people who could function quite independently, once those accommodations were made. The same progress was not made for individuals with intellectual and developmental disabilities (ID/DD). Functioning independently is not realistic for a large majority/number of individuals with intellectual and developmental disabilities, who literally need support from birth to death. Such individuals never "age out." So many areas of greater unmet need for expansion of services have already been identified through the Developmental Disability Advisory Committee of the MC Commission on People with Disabilities. It is time to move this discussion from an advisory committee to a County Commission.

A universal need is for individuals to have full, productive lives within their own communities. Public Law 94-142 and IDEA legislation have made public education available for students with ID/DD in the least restrictive environments, most often in their own communities. Laws have made it possible for inclusion in schools even through age 21, as necessary. Many children have benefitted from that. However, what happens when those same students graduate from high school, whether with a certificate or a diploma. Families experience a "cliff," where there are not enough options available in order for those students to continue to move on in the community having a meaningful, productive life. In 2019 Maryland had an unemployment rate for working age adults with cognitive disabilities of 34%. No longer can students transitioning from school to work have the option of working in a job that pays sub-minimum wage, performing repetitive tasks. Now they are expected to find "'Competitive Integrated Employment' where work is performed by a person with a disability working alongside non-disabled workers and compensated at a comparable and market-driven wage to perform the same tasks." However, employers are not generally interested in hiring people at minimum wage, whose intellectual and developmental disabilities result in working at a slower pace, not being able to work a 40-hour work week, needing on-site support from a job coach and more. Montgomery County could do more to incentivize businesses to offer opportunities to individuals with ID/DD. Having a Montgomery County Commission on People with Intellectual and Developmental Disabilities will make it possible to bring this and so many other issues that have been set aside in these times of "celebrating diversity," to the fore.

In addition to having worked for 45 years as a professional social worker in Montgomery County, with my career having been devoted to inclusion of individuals with disabilities in all aspects of community life, I have intimate knowledge of the often-unmet and life-long needs of individuals with intellectual

and developmental disabilities. I have a 59-year-old brother with Down Syndrome whose life expectancy at birth in 1963 was somewhere between 15 and 22 years. Even as he joins other “senior citizens” in aging, he has unique needs that require the services of specialized resources in almost every aspect of his life. In his youth, there were no options for inclusion in school, much less assistance for transitioning to any work other than sheltered employment upon completion. Times have changed; Montgomery County has often provided leadership in so many ways. Let’s not let the families of folks with ID/DD down, rather let’s lift them up through a Commission that will allow those unheard voices to be heard and have those unmet needs addressed in our own community.

Testimony to Support Bill 10-23, Health - Intellectual and Developmental Disabilities Commission

Thank you for letting me speak with you today. My name is Susan Hartung and I am here to express my strong support to establish a Commission on Intellectual and Developmental Disabilities

I am wearing a lot of hats today. I am a retired special education teacher, today I work with over 100 providers of services for the developmentally disabled in Md. I have served on the Board of Directors for national and international organizations and chaired committees at the state and county level. Most importantly, I am here today as Warren and Emily's mom. Warren is 37 years old and has a developmental disorder called KAT6A that has left him intellectually disabled, non-verbal and with diminished muscle tone. Emily is 33 and is classically autistic. None of this is meant to impress you, but to let you know I do know what I am talking about.

During the last 40 years on this journey in the disability world I have been able to see what can be done when people work together toward common goals. I have seen the satisfaction on an individual's face when they know they have contributed to the community they live in. I have seen parents refuse to leave a program because they had "never seen anyone enjoy spending time with their child before". I have seen parents and professionals bring their voices together to improve policies for those individuals who had no voice. I've seen barriers broken down to ensure that those that needed protection most during a health crisis received it. And all of this has happened here, in Montgomery County.

We have done amazing things but there is much more work to be done.

In Montgomery County there are 42,000 people between the ages of 5-64 with a disability, and 24,000 of them are cognitively disabled.

There has been a 71% increase in special education in our school system in the last 10 years. In the next 6 years there are over 900 students with a disability that will age out of the school system into adult services.

Not only is this population growing, it is aging, and we are not prepared for it. We have early intervention services, transitioning youth services, but what happens when the dd population ages? How are we going to meet their needs as they change? We need to look to providing **supports through the lifespan**.

One of those supports is **housing**. 48% of those with an intellectual disability over the age of 18 live with a family member - what happens when those family members are no longer here to provide a home for them.

Another support is Employment. In Montgomery County the unemployment rate is 4.6%. For the DD population it is 84.5% .

And what about those who aren't even receiving services? The Waiting List for services in Montgomery County is over 600. These are individuals who have been identified as having a developmental disability but DDA does not have the funding to support them.

And this number represents those that we know about For those who do not speak English, or who must work two or three jobs to support their family, finding the resources, and the time, to navigate the system to get the help they need, can be an impossible task.

Montgomery County has always provided for its most vulnerable citizens, but the needs are growing. A Commission dedicated to anticipating the needs of the developmentally disabled, and finding ways to collaborate to meet those needs, means that we can continue to be a community where everyone belongs, are included, and can truly live "their best lives".

Susan Hartung

[REDACTED]

[REDACTED]

[REDACTED]



March 7, 2023

The Honorable Evan Glass
President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue

Re: Expedited Bill 10-23 – Intellectual and Developmental Disabilities Commission - Established

Dear Council President Glass and Councilmembers:

I am writing to express the Primary Care Coalition's (PCC) support of Bill 10-23. This legislation will establish an Intellectual and Developmental Disabilities Commission charged with advising the County Council and County Executive on matters involving the needs of individuals with intellectual and developmental disabilities (IDD) through robust engagement with key stakeholders and thorough analysis of existing services and service gaps.

For 30 years, the Primary Care Coalition (PCC) has worked to improve the health and lives of people experiencing vulnerability by building partnerships and strengthening systems that engage diverse stakeholders to provide health care and associated services in our community. In 2020 and 2021, PCC partnered with organizations that manage group homes for adults with IDD to provide technical assistance in infection control, testing protocols, and vaccine roll out. Through our partnership with the Nexus Montgomery hospital collaborative, PCC also convenes and facilitates a Hard-to-Place Patients workgroup focused on improving care transitions for patients who have been hospitalized and cannot be discharged due to lack of appropriate community-based services.

People with IDD tend to have limited access to appropriate clinical care due to stigma and structural barriers, as well as greater health education needs resulting from cognitive adaptive limitations that may impede ability to make healthy lifestyle choices. These factors lead to higher rates of chronic health conditions and other poor health outcomes for people with IDD.

People with IDD are represented across all economic and demographic groups; however, access to services and opportunities is not consistently available. People with IDD who also experience cultural and linguistic barriers to accessing services, historic racial inequities, and ineligibility for DDA and Medicaid due to immigration status experience multiple compounding inequities. The establishment of this Commission provides a venue for understanding the nuanced needs of people with IDD in our highly diverse community.

In 2020 in Maryland¹:

- 18.9% of people with a cognitive disability had asthma vs 7.5% of those with no disability. Black, non-Hispanic people with a disability had significantly higher rates of asthma (20.6%) than other demographic groups.

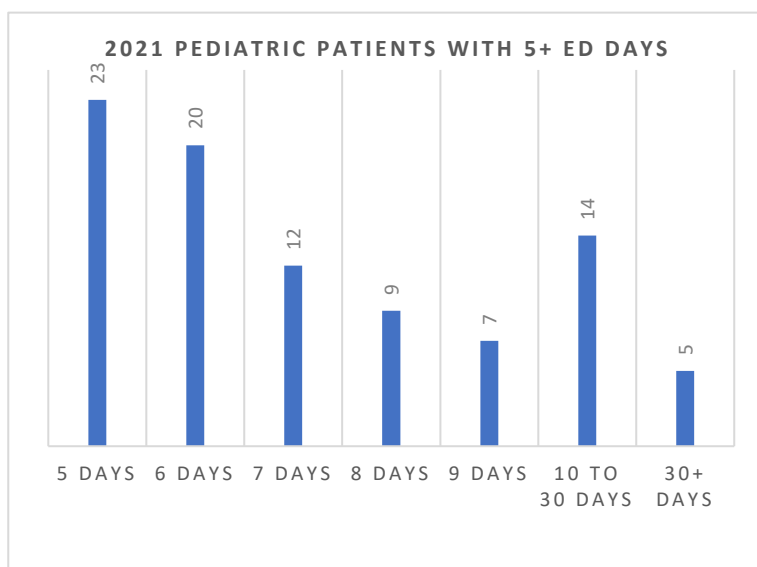
¹ Centers for Disease Control and Prevention, National Center on Birth Defects and Developmental Disabilities, Division of Human Development and Disability. Disability and Health Data System (DHDS) Data [online]. [accessed Mar 5, 2023]. URL: <https://dhds.cdc.gov>

- 17.1% of people with a cognitive disability had had diabetes vs 7.3% of those with no disability. Among those with a disability, 18.4% of non-Hispanic blacks, and 23.8% of those who identify as “other” had diabetes vs. 14% of non-Hispanic whites.
- 8.1% have had cancer vs 5.2% of those with no disability. Among those with a disability, people who identify as “other” report the highest rates of cancer (11.8%).

The establishment of a commission focused specifically on improving system-wide coordination and service delivery for residents with IDD is an excellent step in addressing structural barriers to care and service gaps. To illustrate one example, patients with IDD who receive emergency department or in-patient services may find themselves stuck in the hospital because there are not enough facilities with the expertise and resources to accommodate this population.

In FY21, 52 patients with IDD spent 630 days (cumulative) in Montgomery County hospitals beyond their appropriate discharge date due to lack of capacity at an appropriate discharge facility. From January to June of 2022 this rose to 148 patients and more than 2,000 hospital days. Appropriate discharge options are situation dependent but include facilities such as skilled nursing facility, psychiatric hospital, group home, inpatient rehabilitation and even home care.²

The situation is equally alarming for emergency department stays. In 2021, 90 children with IDD spent 902 days (cumulative) emergency departments awaiting transfer to an appropriate facility such as a psychiatric hospital (23), acute care hospital (15), supported care at home (44), or other type of facility (7). Discharge from emergency departments to home or self-care represents the longest wait time of over 500 days (cumulative).³



Often the reason for these long waits is a lack of capacity at facilities to appropriately care for patients with severe cognitive and behavioral challenges; however, the pressure of these long wait times only exacerbates patients' behavioral challenges making it even more difficult to find appropriate placements.

The Primary Care Coalition and Nexus Montgomery are working with system partners to address this problem but added support and a venue for discussion within the structure of local government is a welcome development to shed further light on this and many other obstacles to appropriate service delivery for people with IDD in our community.

² Source: Nexus Montgomery Hospital Provided Data FY2021

³ Source: Nexus Montgomery CRISP Extract CY2021

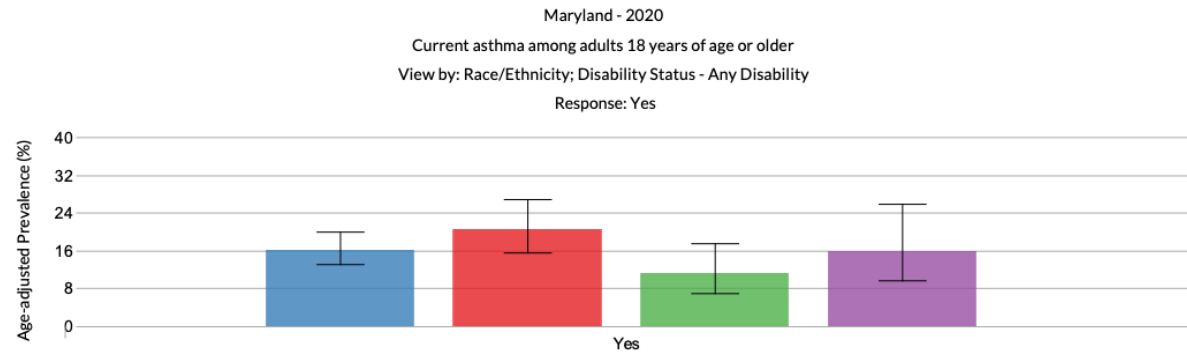
The Primary Care Coalition is particularly concerned with ensuring access to care for people who are excluded from existing systems. In the case of

Sincerely,

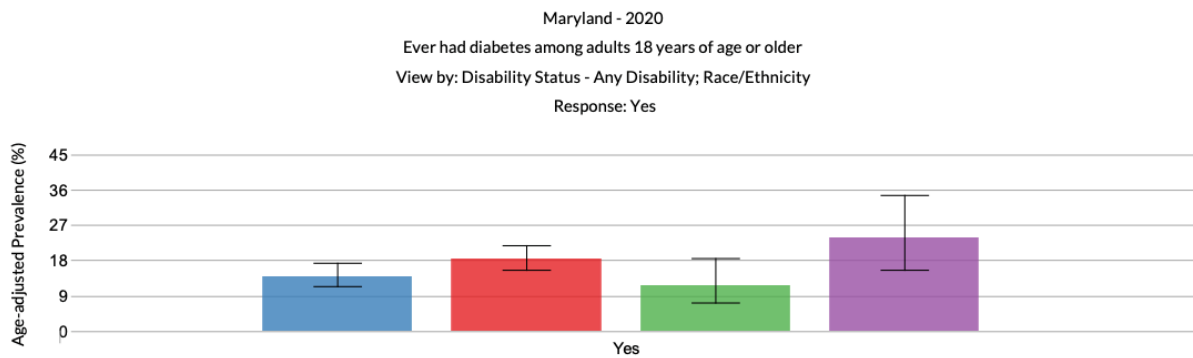
Temí Oshiyoye
Quality Improvement Manager for Nexus Montgomery
Primary Care Coalition

Appendix A: Racial Disparities in Health Outcomes Among People with Cognitive Disability

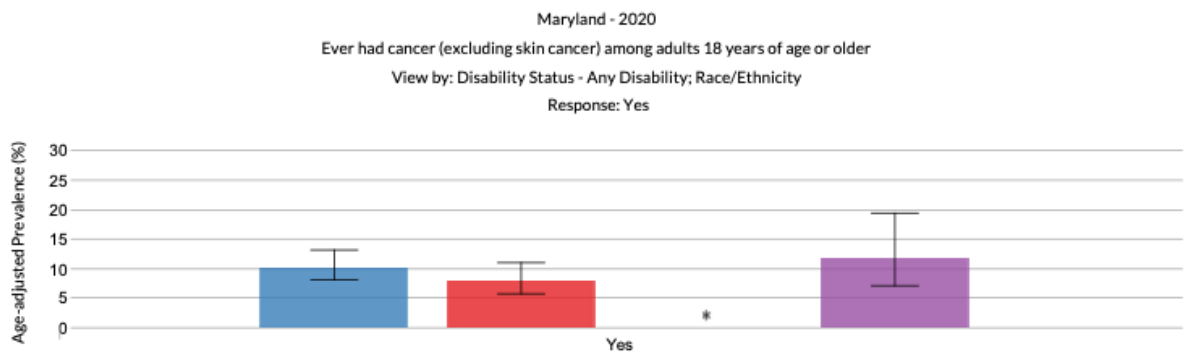
Maryland



Maryland



Maryland



Race/Ethnicity

White, non-Hispanic

Black, non-Hispanic

Hispanic

Other / Multirace, non-Hispanic

Footnotes

* Data suppressed. Estimates were suppressed if the standard error was greater than or equal to 30% of the estimate or if the unweighted total population was less than 50.

Source: Centers for Disease Control and Prevention, National Center on Birth Defects and Developmental Disabilities, Division of Human Development and Disability. Disability and Health Data System (DHDS) Data [online]. [accessed Mar 5, 2023]. URL: <https://dhds.cdc.gov>