

# Welcome



## Agenda

- Accomplishments but much work ahead
- Awards
- Self Direction Act 2022
  - What it says
  - What you can do
- Supported Decision Making - bill
- Meeting **will be recorded**, and **closed captioning is enabled** (automatic)

**\*Please keep yourself muted. Questions or comments in the chat box, please!**

# Polls

Poll 1: For Everybody- What is your role? (can select multiple)

1. Self-directing Participant
2. Family or advocate for self-directing participant
3. Support Broker
4. CCS (Coordinator of Community Services)
5. FMS Representative (Fiscal Management Service)
6. DDA Representative
7. Other

Poll 2: Participants and families only: How long have you/your family been in self-direction

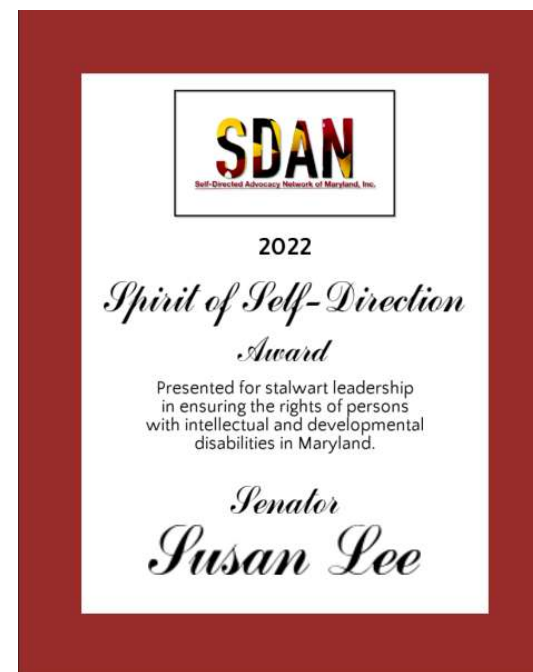
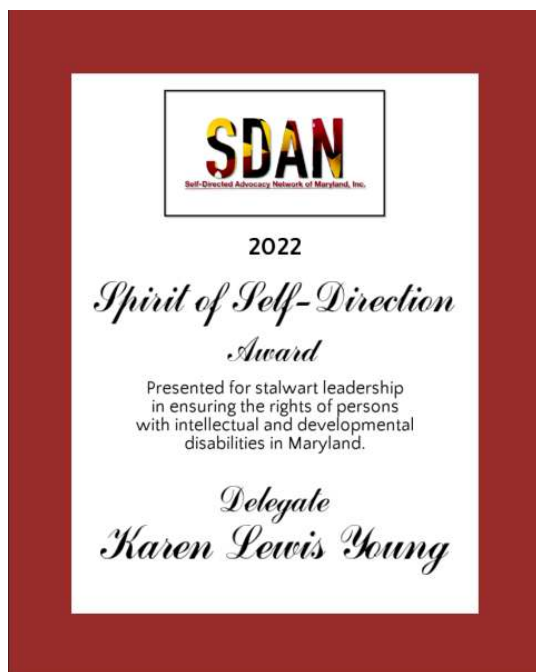
1. Currently Looking
2. New to SD (1-2 yrs)
3. I'm a pro (2+)

# SpArc Tank Grant - Connecting DSP's & Participants

- SDAN was awarded a grant (ARC MD SpArc grant) to investigate feasibility/create proof-of-concept DSP portal
- We will be sending out a survey to YOU to ask about usability and acceptance
- Outreach to Community Colleges, County Departments of Education, specialized graduate programs and anyplace else we can recruit DSPs to create a DSP pipeline
- Need Volunteers
  - Lawyer to help with understanding liability issues
  - People to help with outreach
    - especially participants and their DSPs!

# We Couldn't Do This Without Our Champions!!

- Award to Delegate Karen Lewis Young
- Award to Senator Susan Lee



# SDAN Accomplishments 2021 - Great Work Together!

Looking back at 2021 we did accomplish some good things with membership support:

- FY2021 AND FY2022 COLAs were released and credited to SD participants
- DDA agreed that Overnight Supports need to have a SD option
  - DDA agreed to provide Overnight Supports to several individuals who needed it
- MDH agreed to include multiple FMSes in their RFP (at least 2 and no more than 10)
- DDA agreed to allow participants access to IFDGS at the annual PCP using allotted funds - no wait for “savings”
- DDA raised the Reasonable and Customary Wages WAY above the then current rates established in 2017
  - DDA now has parity funding between provider-managed and self-direction programs
- The FAS and PA agreements finally reflect team approach and minimize the use (or need) for a Designated Representative
- DDA and DOD realize there are many nursing service issues in SD with DDA and between MDH programs - hoping a workgroup to follow later this spring

# Self-Direction Act – Why ?

- Maryland was a trailblazer with its New Directions Waiver in 2005
- 2013/2014 New Directions was combined with the provider-centered Community Pathway Waiver, which resulted in less choice and flexibility
- In 2016, significant changes were proposed by MDH/DDA\* that took away many participant choices and control of their programs, some of which actually harmed Maryland stakeholders – such as the lost of overnight supports. Grassroots efforts began to return Maryland to its original vision and SDAN was formed!

• \*Maryland Department of Health/Developmental Disabilities Administration

# Self-Direction Act - Goals

- To achieve greater equity by ensuring that people in disadvantaged communities, those with language barriers and those who lack robust family supports can also access and successfully utilize self-direction.
- To restore and then maintain both flexibility and access to Self-Direction (SD) while retaining its well-documented cost-savings.
- To ensure that MDH/DDA refrain from requiring any participant in DDA's HCBS waivers from having to demonstrate competency or suitability. Anyone should be deemed capable of self-directing with the needed supports and PRESUMED COMPETENT.

# Important Findings of the Summer Study

- Experts put to rest the idea that any of the following recommendations would cause the state to lose federal matching dollars.
- Current DDA policies do forfeit matching funds unnecessarily.
- All of recommendations of the Workgroup comply with CMS\* rules/regulations.

\*Centers for Medicare and Medicaid Services



# Educate New and Existing DDA Participants About Self-Direction – Enhanced Training

*Issue to be corrected: Currently many participants of the DDA waiver programs are not told about Self Direction at all or are misinformed or are discouraged from choosing it.*

The bill stipulates: CCSes will be better trained in self direction and will fully orient new and current participants about self-direction annually (PCP).

# Reinstate Support Broker Roles and Increase Hours When Needed

*Issue to be corrected: Some participants require additional hours of support to make their program successful. This is especially true for individuals who do not have families able to take on roles gratis and for those with language barriers.*

*Many participants are not getting the support they need, and many self-direction applicants are now having to wait months or years to transition into self-direction.*

The bill stipulates: Expand and assure access to Support Brokers to promote equity and access by:

- a. Offering Support Broker Services to all participants as part of their annual PCP.
- b. Expanding the definition of “Support Broker Service” to include all CMS allowable activities
- c. Allowing participants access to support broker services up to 40 hours per month based on individual need. (NOTE: Most participants will only require 4-10 hours per month.)

# Reinstate Self Directed Overnight Supports

*Issue to be corrected: Many individuals had overnight supports via personal supports. This support was taken from these individuals when DDA changed the definition in 2018. DDA's only option for those in SD who required overnight supports was to hire an agency and give up employer authority over 128 out of 168 hours in a week.*

The bill stipulates: The waiver will be amended to allow participants under self-direction budget and employer authority to self-direct their overnight supports in addition to the rest of their day in order to live independently or in their family home

# No Prohibition to Having Family as Staff

Issue to be corrected: *Ongoing efforts to eliminate or limit the ability of family to be paid staff.*

The bill stipulates: All existing and future DDA waivers must allow participants under self-direction to hire family as staff.

# Transparency in Person Centered Planning (PCP)

*Issue to be corrected: Currently there is no mechanism for the recipient of service to be able to track the progress (or lack thereof) of the PCP process.*

The bill stipulates: Participants will have access to the DDA software system to view, and ensure the accuracy of, information about themselves and to track the status of their PCP plan and budget.

# Mileage Reimbursement for Specialized Vehicles

*Issue to be corrected: Owners (mostly family members) of specialized vehicles used by participants cannot be reimbursed for mileage if they are not an employee.*

The bill stipulates: Reimbursement for use of vehicle to be paid per mile to the owner of the vehicle, even if not an employee, if the transportation is related to the participant's plan of service.

# Remove Competency Requirements in Favor of Team Support

*Issue to be corrected: Repeated inclusion of language that could exclude individuals from self directing their services based on competency assessments.*

The bill stipulates: The state may not require a participant to demonstrate competency before allowing them to receive services. Allows “Team” approach for support.

# Parity in Budgets/Services

## Issues to be corrected:

- *Traditional providers are able to pay **administrative** supports, such as a manager/coordinator, program director or the like.*
- *Self-direction also has the need for overhead expenses, such as internet access for submitting timesheets and for access to online community.*

The bill stipulates: An assurance of parity and transparency in the rates and reimbursements of services and budgets provided under self-direction and provider-managed services including funding for managerial or administrative positions and services.



# Expansion of Individual Family Directed Goods & Services (IFDGS)

*Issue to be corrected: DDA set an arbitrary limit on IDFGS funding and types of services without taking into consideration the diverse needs of participants. Consequently, some participants are not able to get the community integration services they require.*

The bill stipulates: Restore flexibility and expand allowable activities to include all within CMS guidelines within the full utilization of participant's budget.

# Progress Report Annually – 3 years

The bill stipulates: MDH will provide a report to the Maryland General Assembly annually showing the progress in implementing the requirements established under this Act and the recommendations outlined in the Self-Directed Advocacy Network of Maryland’s “Recommendations to Summary Study Workgroup House Bill 318 of 2021”.

This provision would sunset after three years.

# We Need YOU!

- Self Direction Act of 2022 - HB1020/SB868
  - Testimony – Written or oral
    - You can look up your legislative district and your State Representatives at <https://mgaleg.maryland.gov/mgawebsite/Members/District> and click LOOKUP
    - Sign up for an account at <https://mgaleg.maryland.gov/mgawebsite/Account/Register/Tracking>
    - Sign up to testify (written or oral) <https://mgaleg.maryland.gov/mgawebsite/MyMGATracking/WitnessSignup> and search for bill HB1020 in the House (Health and Government Operations Committee) or SB868 in the Senate (Finance Committee)
    - Note that the ability to sign up to testify is in flux. We will send out an email with instructions the day before you need to submit.
    - Meet with your Delegates and Senators supporting the bill
  - Email, letters and phone calls too - especially Senate Finance and House & Government Operations members
- One Pager
  - Educate yourself, legislators and other advocates
- My story - personalize your support

\*All of these were emailed to you.



## THE SELF-DIRECTED SERVICES ACT OF 2022 (HB1020/SB868)

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**Self-direction allows an individual with Intellectual/Developmental Disabilities to have choice and control of their Medicaid waiver services, including choosing the staff that supports them (employer authority) and how their budget is spent (budget authority) so they can tailor their daily activities to meet their own needs and interests.**

### **History: Maryland was a trailblazer with its Self-Direction (SD) Waiver in 2005**

- 2013/2014 – it was combined with the provider-centered Waiver which meant less choice, control and flexibility for SD
- 2016 – further DDA changes took away many participant choices and control
- Grassroots efforts since then culminating in this Act

### **Goals:**

- To achieve greater equity by ensuring that people in disadvantaged communities, those with language barriers and those who lack robust family supports can also access SD
- To restore and maintain flexibility and access to SD while retaining cost-savings

# Example “My Story”

## My Story



Hi, my name is Carmen Houston-Ludlam and I have self-directed my services for a year. I work at MOD Pizza where I make pizza crusts with the dough press, make pizzas for our customers, and help keep the store and the dishes clean. I love my job, and my co-workers are really nice to me and make me feel part of the team. In my spare time, I practice my ventriloquism, and I hope to be on America’s Got Talent some day. I really like British things, and I am saving money from my paychecks to take a trip to London as soon as I can travel again after the pandemic. I am very active, and I swim, snowboard, dance and cheer. I also like to make reels on Instagram with funny songs. I really like fashion, and I post pictures of myself wearing outfits similar to a British model named Holly Willoughby.

*Choice and Control  
Matter to Me!*





# Maryland General Assembly - Website - MYMGA

The screenshot displays the Maryland General Assembly website interface. At the top, the logo for the Maryland General Assembly is visible on the left, and the text "MARYLAND GENERAL ASSEMBLY" is centered. To the right of the logo is a search bar with the placeholder text "Search i.e. Bill search, keyword" and a magnifying glass icon. Further right are social media icons for Facebook, Twitter, YouTube, and MYMGA. Below the search bar is a navigation menu with the following items: MEMBERS, COMMITTEES, MEETINGS, LEGISLATION, BUDGET, LAWS, FLOOR ACTIONS, and SEARCH & ARCHIVES. The main content area shows a report created on 2/15/2022 at 12:50:37 PM. It indicates that 1 to 3 of 3 entries are shown. A "Print" button and a "Filter:" input field are also present. The table below lists three bills with their respective details.

Bill/Chapter (Cross/Chapter)	Title	Sponsor	Current Status	Org Committees & Hearings	Opp Committees & Hearings
<a href="#">HB1020</a> ( <a href="#">SB0868</a> )	Developmental Disabilities Administration – Self-Directed Services (Self-Direction Act of 2022)	<a href="#">Delegate Young, K.</a>	In the House - Hearing 3/09 at 1:30 p.m.	<a href="#">Health and Government Operations</a> 3/09/2022 - 1:30 PM	
<a href="#">SB0559</a> ( <a href="#">HB0529</a> )	Estates and Trusts - Supported Decision Making	<a href="#">Senator Waldstreicher</a>	In the Senate - Hearing 2/17 at 1:00 p.m.	<a href="#">Judicial Proceedings</a> 2/17/2022 - 1:00 PM	
<a href="#">SB0868</a> ( <a href="#">HB1020</a> )	Developmental Disabilities Administration – Self-Directed Services (Self-Direction Act of 2022)	<a href="#">Senator Lee</a>	In the Senate - Hearing 3/08 at 1:00 p.m.	<a href="#">Finance</a> 3/08/2022 - 1:00 PM	

# Supported Decision Making

**Senate Judicial Proceedings Committee**

**SB 559 – Supported Decision-Making**

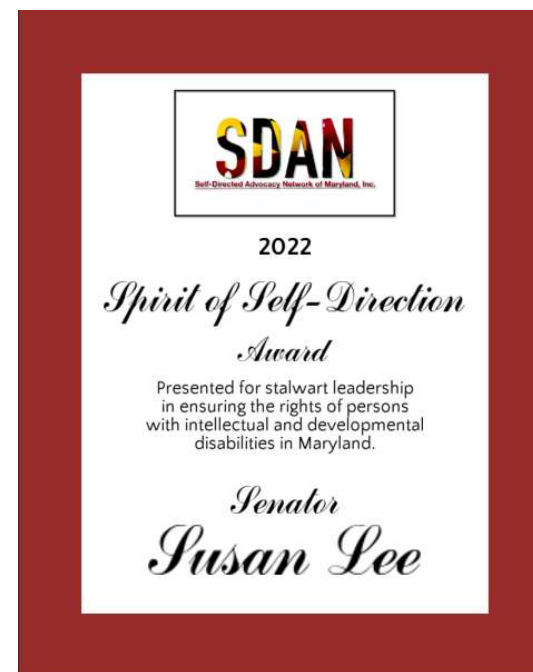
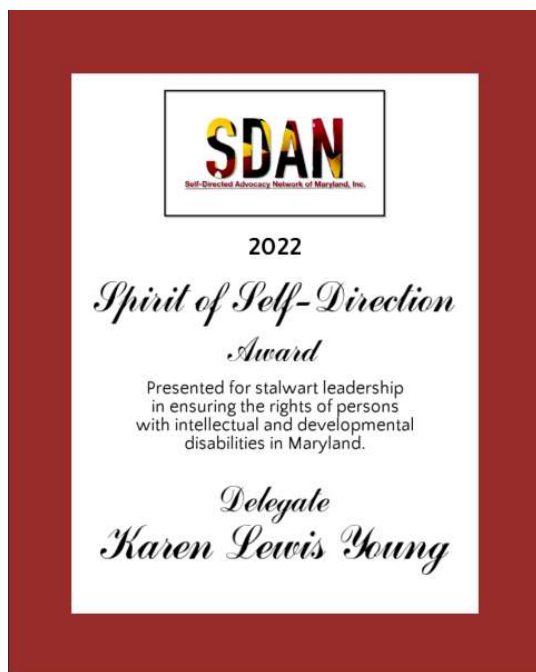
**February 17, 2022**

**Position: Support**

“Supported decision-making is a nationally and internationally recognized best practice that helps preserve a person’s right to make their own decision by recognizing that **just like people without disabilities**, people with disabilities rely on “supporters” the people who they trust to help them make, communicate, and effectuate their decisions. “ – Cross-disability SDM Coalition

# We Couldn't Do This Without Our Champions!!

- Award to Delegate Karen Lewis Young
- Award to Senator Susan Lee





# Closing Remarks - Don't Forget!

- Hearing Date For SB 868 is March 8th at 1:00, HB1020 is March 9th at 1:30.
- Upload your testimony! One pager and My Story send out to delegates and senators!
- Watch for and reply to the grant survey
- If there are additional challenges you are having with Self-directed services, let us know in the chat
- If you send us your address, we can let you know in you are in a district with a member of two (2) key committees: the Senate Finance Committee and the Health and Government Operations Committee  
Info@marylandsds.org
- Next meeting in March - Future Planning (reschedule of January)
  - Future planning subcommittee workers needed

As always we need your support: Volunteer your time, donate!