

HOUSE BILL 1244

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By: **Delegates Guyton and Bagnall**

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Developmental Disabilities Administration Waiver Advisory Council –**
3 **Establishment**

4 FOR the purpose of establishing the Maryland Developmental Disabilities Administration
5 Waiver Advisory Council to advise and provide recommendations to the
6 Developmental Disabilities Administration on system design, service delivery, and
7 quality enhancement strategies for the Medicaid waiver programs operated by the
8 Administration; and generally relating to the Maryland Developmental Disabilities
9 Administration Waiver Advisory Council.

10 BY adding to

11 Article – Health – General

12 Section 7–12B–01 through 7–12B–05 to be under the new subtitle “Subtitle 12B.
13 Maryland Developmental Disabilities Administration Waiver Advisory
14 Council”

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2024 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Health – General**

20 **SUBTITLE 12B. MARYLAND DEVELOPMENTAL DISABILITIES ADMINISTRATION**
21 **WAIVER ADVISORY COUNCIL.**

22 **7–12B–01.**

23 **IN THIS SUBTITLE, “COUNCIL” MEANS THE MARYLAND DEVELOPMENTAL**
24 **DISABILITIES ADMINISTRATION WAIVER ADVISORY COUNCIL.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **7-12B-02.**

2 (A) THERE IS A MARYLAND DEVELOPMENTAL DISABILITIES
3 ADMINISTRATION WAIVER ADVISORY COUNCIL IN THE ADMINISTRATION.

4 (B) THE PURPOSE OF THE COUNCIL IS TO:

5 (1) ADVISE AND PROVIDE RECOMMENDATIONS TO THE
6 ADMINISTRATION ON SYSTEM DESIGN, SERVICE DELIVERY, AND QUALITY
7 ENHANCEMENT STRATEGIES FOR THE MEDICAID WAIVER PROGRAMS OPERATED BY
8 THE ADMINISTRATION; AND

9 (2) FOSTER MEANINGFUL ENGAGEMENT AND ESTABLISH A
10 FEEDBACK LOOP WITH ALL STAKEHOLDERS WHILE PRIORITIZING INPUT FROM
11 INDIVIDUALS WITH LIVED EXPERIENCE WITH A MEDICAID WAIVER PROGRAM.

12 (C) THE COUNCIL SHALL ADHERE TO PERSON-CENTERED THINKING,
13 DIVERSITY, EQUITY, AND INCLUSION PRINCIPLES, AND EVIDENCE-BASED AND
14 DATA-DRIVEN DISCUSSION AND PROBLEM SOLVING.

15 **7-12B-03.**

16 (A) (1) THE COUNCIL CONSISTS OF THE FOLLOWING VOTING MEMBERS,
17 APPOINTED BY THE SECRETARY OF HEALTH:

18 (I) 18 INDIVIDUALS WITH LIVED EXPERIENCE PARTICIPATING
19 IN AN ADMINISTRATION PROGRAM THAT SHALL INCLUDE:

20 1. REPRESENTATIVES FROM ADVOCACY GROUPS FOR
21 INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES; AND

22 2. EQUAL REPRESENTATION FROM INDIVIDUALS WHO
23 HAVE EXPERIENCED SELF-DIRECTED DELIVERY MODELS AND INDIVIDUALS WHO
24 HAVE EXPERIENCED TRADITIONAL DELIVERY MODELS;

25 (II) TWO LICENSED PROVIDERS OF RESIDENTIAL AND DAY
26 SERVICES;

27 (III) TWO CERTIFIED PROVIDERS OF SERVICES INCLUDING
28 EMPLOYMENT, PERSONAL SUPPORT, TECHNOLOGY, AND TRANSPORTATION;

29 (IV) ONE COORDINATION OF COMMUNITY SERVICES PROVIDER;

1 (V) ONE FINANCIAL MANAGEMENT AND COUNSELING SERVICES
2 PROVIDER;

3 (VI) ONE REPRESENTATIVE OF AN ETHNIC ADVOCACY GROUP IN
4 THE STATE;

5 (VII) ONE REPRESENTATIVE OF THE MARYLAND CENTER FOR
6 DEVELOPMENTAL DISABILITIES;

7 (VIII) ONE REPRESENTATIVE OF THE MARYLAND
8 DEVELOPMENTAL DISABILITIES COUNCIL;

9 (IX) ONE REPRESENTATIVE OF THE SELF-DIRECTED
10 ADVOCACY NETWORK OF MARYLAND;

11 (X) ONE REPRESENTATIVE OF THE PARENTS' PLACE OF
12 MARYLAND;

13 (XI) THREE FAMILY MEMBERS WITH EXPERIENCE WITH
14 SELF-DIRECTED SERVICES; AND

15 (XII) THREE FAMILY MEMBERS WITH EXPERIENCE WITH
16 TRADITIONAL SERVICES.

17 (2) THE COUNCIL CONSISTS OF THE FOLLOWING NONVOTING
18 MEMBERS:

19 (I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED
20 BY THE PRESIDENT OF THE SENATE;

21 (II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED
22 BY THE SPEAKER OF THE HOUSE;

23 (III) THE DIRECTOR OF FEDERAL PROGRAMS AND INTEGRITY
24 IN THE ADMINISTRATION;

25 (IV) ONE REPRESENTATIVE OF THE DEPARTMENT OF
26 DISABILITIES, DESIGNATED BY THE SECRETARY OF DISABILITIES;

27 (V) ONE REPRESENTATIVE OF THE DEPARTMENT OF HOUSING
28 AND COMMUNITY DEVELOPMENT, DESIGNATED BY THE SECRETARY OF HOUSING
29 AND COMMUNITY DEVELOPMENT;

1 (VI) ONE REPRESENTATIVE OF THE DEPARTMENT OF HUMAN
2 SERVICES, DESIGNATED BY THE SECRETARY OF HUMAN SERVICES;

3 (VII) ONE REPRESENTATIVE OF THE DIVISION OF
4 REHABILITATION SERVICES IN THE STATE DEPARTMENT OF EDUCATION,
5 DESIGNATED BY THE STATE SUPERINTENDENT OF SCHOOLS;

6 (VIII) THE FOLLOWING MEMBERS, DESIGNATED BY THE
7 SECRETARY OF HEALTH:

8 1. ONE REPRESENTATIVE OF THE OFFICE OF LONG
9 TERM SERVICES AND SUPPORTS;

10 2. ONE REPRESENTATIVE OF THE BEHAVIORAL
11 HEALTH ADMINISTRATION;

12 3. ONE REPRESENTATIVE OF THE OFFICE OF HEALTH
13 CARE QUALITY;

14 4. ONE REPRESENTATIVE OF THE ELIGIBILITY
15 DETERMINATION DIVISION OF THE OFFICE OF ELIGIBILITY SERVICES; AND

16 5. ONE REPRESENTATIVE OF THE MARYLAND LONG
17 TERM SERVICES AND SUPPORT SYSTEM PROGRAM MANAGEMENT OFFICE; AND

18 (IX) THE FOLLOWING MEMBERS, APPOINTED BY THE
19 SECRETARY OF HEALTH:

20 1. ONE REPRESENTATIVE OF THE NATIONAL
21 ASSOCIATION OF STATE DIRECTORS OF DEVELOPMENTAL DISABILITIES SERVICES;
22 AND

23 2. ONE REPRESENTATIVE OF APPLIED
24 SELF-DIRECTION.

25 (3) THE LICENSED OR CERTIFIED PROVIDERS ON THE COUNCIL
26 SHALL INCLUDE REPRESENTATIVES FROM EACH REGION AND FROM THE
27 MARYLAND ASSOCIATION OF COMMUNITY SERVICES AND THE ARC OF MARYLAND.

28 (4) FAMILY MEMBERS APPOINTED TO THE COUNCIL SHALL INCLUDE
29 AT LEAST ONE FAMILY MEMBER FROM EACH REGION.

1 **(5) THE ADMINISTRATION SHALL ESTABLISH AN APPLICATION**
2 **PROCESS AND REVIEW PROCESS FOR MEMBERS WHO WISH TO SERVE ON THE**
3 **COUNCIL.**

4 **(6) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE**
5 **COUNCIL SHALL REFLECT THE GENDER, RACIAL, ETHNIC, AND GEOGRAPHICAL**
6 **DIVERSITY OF THE STATE.**

7 **(B) (1) THE TERM OF A MEMBER IS 3 YEARS.**

8 **(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE**
9 **TERMS PROVIDED FOR THE MEMBERS OF THE COUNCIL ON OCTOBER 1, 2025.**

10 **(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL**
11 **A SUCCESSOR IS APPOINTED AND QUALIFIES.**

12 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES**
13 **ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND**
14 **QUALIFIES.**

15 **(5) A MEMBER MAY NOT SERVE CONSECUTIVE TERMS BUT MAY SERVE**
16 **FOR MULTIPLE NONCONSECUTIVE TERMS.**

17 **(C) (1) THE DIRECTOR OF FEDERAL PROGRAMS SHALL SERVE AS A**
18 **NONVOTING COCHAIR.**

19 **(2) THE COUNCIL SHALL VOTE FOR THE ADDITIONAL COCHAIR.**

20 **(D) (1) THE ADMINISTRATION SHALL PROVIDE STAFF FOR THE COUNCIL.**

21 **(2) THE DEPARTMENT SHALL INCLUDE A DEDICATED COUNCIL**
22 **WEBPAGE ON THE DEPARTMENT'S WEBSITE THAT INCLUDES MEETING DATES AND**
23 **TIMES, AGENDAS AND OTHER MEETING DOCUMENTS, AND RECORDED PAST**
24 **MEETINGS OF THE COUNCIL.**

25 **(E) A MEMBER OF THE COUNCIL:**

26 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
27 **COUNCIL; BUT**

28 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
29 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

1 **(F) THE COUNCIL MAY PROVIDE TRAVEL ARRANGEMENTS, AS NECESSARY,**
2 **FOR MEMBERS OF THE COUNCIL WITH DISABILITIES.**

3 **7-12B-04.**

4 **(A) (1) THE COUNCIL SHALL MEET ONCE EVERY 2 MONTHS IN A**
5 **LOCATION THAT IS MADE PUBLICLY AVAILABLE AT LEAST 2 WEEKS BEFORE THE**
6 **MEETING.**

7 **(2) THE COUNCIL MAY HOLD ADDITIONAL MEETINGS IF DETERMINED**
8 **NECESSARY BY THE COCHAIRS.**

9 **(3) MEETINGS OF THE COUNCIL SHALL:**

10 **(I) BE OPEN TO THE PUBLIC AND RECORDED BY VIDEO;**

11 **(II) FOLLOW AGENDAS THAT ARE DISTRIBUTED AT LEAST 1**
12 **WEEK BEFORE THE MEETING TO COUNCIL MEMBERS BY E-MAIL;**

13 **(III) CONCLUDE WITH A CLEAR UNDERSTANDING OF**
14 **EXPECTATIONS AND ASSIGNMENTS FOR FUTURE STEPS;**

15 **(IV) PROVIDE ACCOMMODATIONS FOR INDIVIDUALS WITH**
16 **DISABILITIES; AND**

17 **(V) INCLUDE TIME FOR PUBLIC COMMENT AFTER MEETING**
18 **AGENDA ITEMS HAVE BEEN ADDRESSED.**

19 **(4) A MEETING OF THE COUNCIL MAY BE HELD VIRTUALLY IF**
20 **DETERMINED NECESSARY BY THE COCHAIRS.**

21 **(5) THE COUNCIL SHALL PROVIDE NOTICE OF ITS MEETINGS BY**
22 **E-MAIL TO MEMBERS AT LEAST 1 WEEK BEFORE THE MEETING AND SHALL INCLUDE**
23 **AN AGENDA AND ANY DOCUMENTS TO BE REVIEWED FOR THE MEETING.**

24 **(6) THE COUNCIL SHALL DISTRIBUTE MEETING MINUTES TO**
25 **MEMBERS WITHIN 2 WEEKS AFTER EACH COUNCIL MEETING.**

26 **(B) THE COUNCIL MAY FORM WORKGROUPS THAT MAY MEET AS DIRECTED**
27 **BY THE COCHAIRS.**

28 **(C) THE COUNCIL SHALL ESTABLISH A CODE OF CONDUCT FOR COUNCIL**
29 **MEETINGS.**

1 7-12B-05.

2 (A) THE COUNCIL SHALL PROVIDE ADVICE AND MAKE RECOMMENDATIONS
3 TO THE ADMINISTRATION ON:

4 (1) ADMINISTRATION-OPERATED MEDICAID WAIVER PROGRAM
5 SYSTEM DESIGN, INCLUDING WAIVER APPLICATION REGULATIONS AND POLICIES;

6 (2) SERVICE DELIVERY AND ACCESS TO SERVICES;

7 (3) FEDERAL WAIVER ASSURANCES;

8 (4) ENSURING ACCESS TO MEDICAID SERVICES;

9 (5) QUALITY ENHANCEMENT EFFORTS AND IMPROVEMENT
10 STRATEGIES;

11 (6) COMMUNICATION WITH STAKEHOLDERS, INCLUDING A
12 TRANSPARENT FEEDBACK PROCESS; AND

13 (7) COLLABORATIVE PROCESSES WITH STAKEHOLDERS.

14 (B) (1) THE COUNCIL SHALL VOTE ON THE ADVICE AND
15 RECOMMENDATIONS TO PROVIDE TO THE ADMINISTRATION UNDER SUBSECTION (A)
16 OF THIS SECTION.

17 (2) THE COUNCIL SHALL ATTEMPT TO REACH CONSENSUS AND ALL
18 MEMBERS SHALL BE AFFORDED AN OPPORTUNITY TO BE HEARD.

19 (3) IF CONSENSUS CANNOT BE REACHED ON A PARTICULAR ISSUE,
20 THE COUNCIL MAY VOTE WITH A 75% AGREEMENT THRESHOLD.

21 (4) (I) A COUNCIL MEMBER MAY NOT VOTE ON ANOTHER
22 MEMBER'S BEHALF.

23 (II) A COUNCIL MEMBER MAY DESIGNATE A PROXY FOR THE
24 MEMBER.

25 (III) A COUNCIL MEMBER'S PROXY MAY VOTE ON BEHALF OF A
26 MEMBER ONLY IF THE PROXY IS ATTENDING THE MEETING FOR THE MEMBER.

1 **(IV) A COUNCIL MEMBER'S PROXY MAY NOT VOTE ON BEHALF OF**
2 **THE PROXY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial voting
4 members of the Maryland Development Disabilities Administration Waiver Advisory
5 Council shall expire as follows:

6 (1) 18 members in 2027; and

7 (2) 17 members in 2028.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2025.