

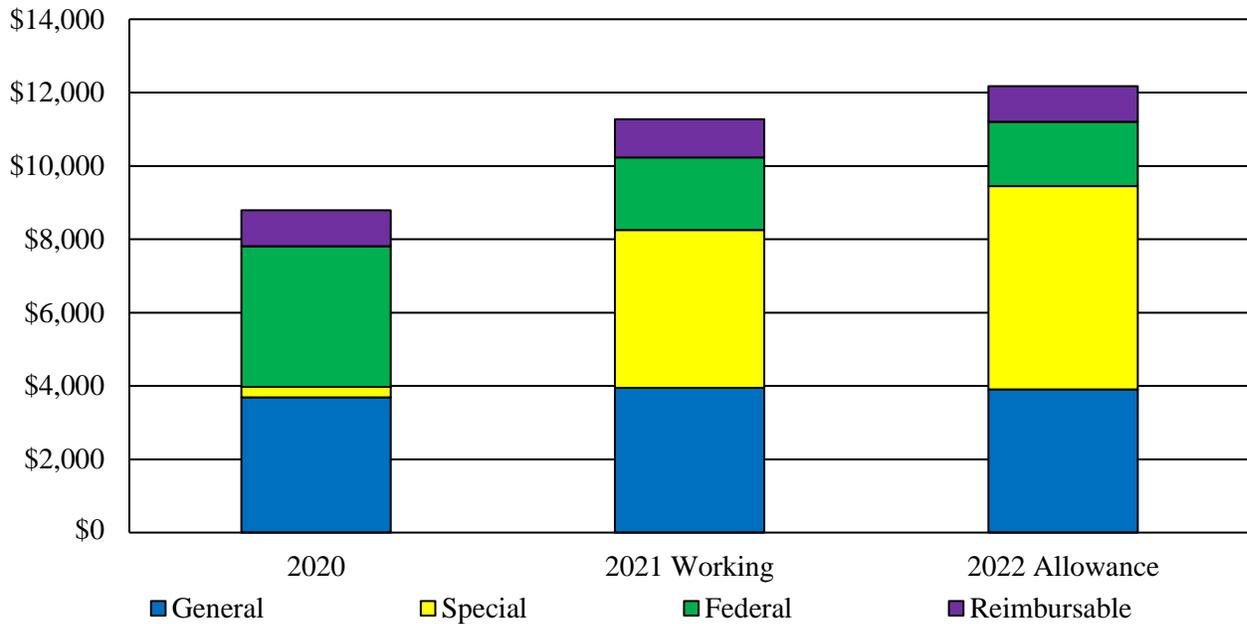
D12A02
Department of Disabilities

Program Description

The Maryland Department of Disabilities (MDOD) focuses on increasing the capacity of Maryland communities to provide services in inclusive settings, which it defines as a citizen-centered delivery system that allows individuals with disabilities to make meaningful choices and maintain control of their lives. The department also provides information, referral services, and expertise on the law. MDOD provides advocacy and guidance to construct a service delivery system that is seamless, responsive, and coordinated; brings elevated expectations about the capacities of individuals with disabilities; and incorporates accessible design into communities and technologies. As part of this work, MDOD directs the development and implementation of the *State Disabilities Plan*. MDOD administers the Constituent Services Program, the Attendant Care Program (ACP), the Maryland Technology Assistance Program (MDTAP), the Access Maryland Program, and the Telecommunications Access of Maryland (TAM) Program. The Developmental Disabilities Council is also included in this budget unit.

Operating Budget Summary

**Fiscal 2022 Budget Increases \$904,509, or 8.0%, to \$12.2 Million
(\$ in Thousands)**



Note: Numbers may not sum due to rounding. The fiscal 2021 appropriation includes deficiencies, planned reversions, and general salary increases. The fiscal 2022 allowance includes contingent reductions, annual salary review adjustments, and the annualization of general salary increases.

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- Special funds increase by \$1.2 million from the fiscal 2021 working appropriation to the fiscal 2022 allowance, mostly driven by an anticipated significant increase in special-funded Maryland Relay Service contract costs, due to the beginning of a new contract term. Maryland Relay Services provide accessible calling options to individuals that may have difficulty hearing or speaking, use captioned telephone services, or use braille.

Fiscal 2021

The TAM program provides equipment and services for Marylanders who have difficulty using a telephone. Chapter 586 of 2020 transferred the TAM program from the Department of Information Technology (DoIT) to MDOD effective July 1, 2020. In fiscal 2021, a budget amendment effectuated the transfer, increasing MDOD’s special fund appropriation by \$4.0 million.

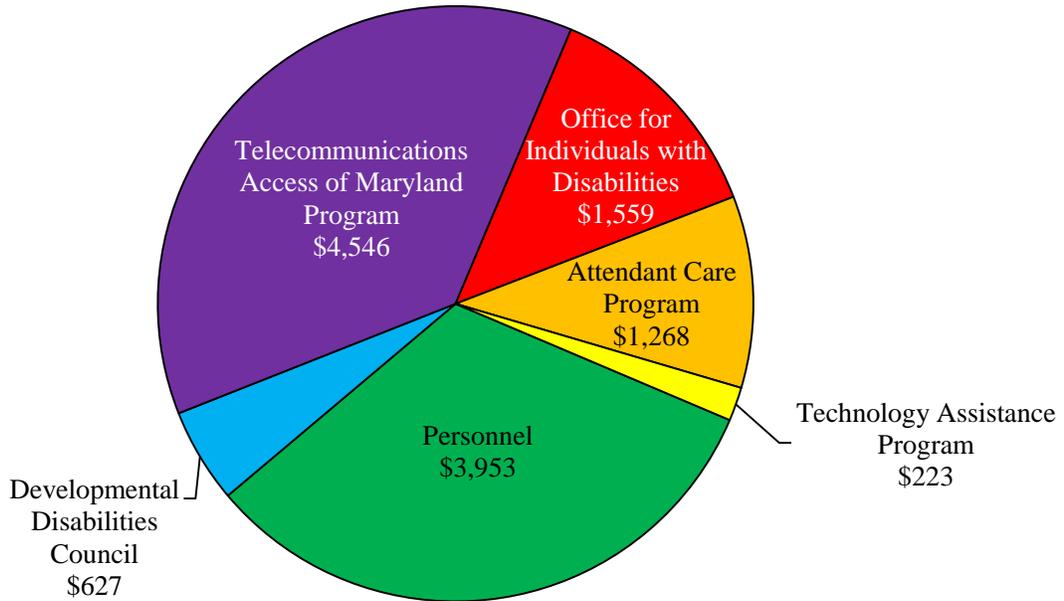
Cost Containment

In response to the COVID-19 pandemic, the Administration’s budget balancing plan, approved by the Board of Public Works on July 1, 2020, decreased MDOD’s appropriation for three across-the-board reductions by a total of \$23,385, including \$20,760 in general funds, \$586 in special funds, and \$2,039 in federal funds. Funding was reduced for Unemployment Insurance compensation, DoIT Enterprise Services to reflect additional information technology (IT) equipment purchases made in fiscal 2020 due to COVID-19, and salaries for IT positions.

Fiscal 2022 Overview of Agency Spending

As shown in **Exhibit 1**, nearly a third of the agency’s allowance is for personnel. The TAM program comprises another 37% of MDOD’s fiscal 2022 spending. The remainder of the fiscal 2022 allowance funds the department’s coordinating office, the Office for Individuals with Disabilities (13%), ACP (10%), and MDTAP (2%). ACP provides financial reimbursement to assist individuals with severe chronic or permanent physical disabilities who require attendant care services to direct their own care and select their own service providers. MDTAP helps support access to assistive technology (AT) devices and services. Comprising 5% of the allowance, the Developmental Disabilities Council works to advance the inclusion of Marylanders with developmental disabilities in all facets of community life.

Exhibit 1
Overview of Agency Spending
Fiscal 2022 Allowance
(\$ in Thousands)



Note: The fiscal 2022 allowance includes contingent reductions, annual salary review adjustments, and the annualization of general salary increases.

Source: Governor’s Fiscal 2022 Budget Books

Proposed Budget Change

As shown in **Exhibit 2**, the fiscal 2022 allowance increases by 8% compared to the fiscal 2021 working appropriation. The total budget increase is driven by a 29% increase in special funds, which is partially offset by a 12% decrease in federal funds and a 6% decrease in reimbursable funds. Universal Service Trust Funds, which support the TAM program, account for the largest share of MDOD’s special funds. Special fund expenditures increase for several telecommunications accessibility programs, including the Maryland Relay Services contract, which recently entered a new contract term, and the Maryland Senior Call Check Program, administered by the Maryland Department of Aging. The federal fund decline is driven by the conclusion of the Promoting Readiness of Minors in Supplemental Security Income (MD PROMISE) program.

Exhibit 2
Proposed Budget
Department of Disabilities
(\$ in Thousands)

How Much It Grows:	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Fund</u>	<u>Federal</u> <u>Fund</u>	<u>Reimb.</u> <u>Fund</u>	<u>Total</u>
Fiscal 2020 Actual	\$3,684	\$292	\$3,832	\$986	\$8,793
Fiscal 2021 Working Appropriation	3,949	4,304	1,980	1,038	11,272
Fiscal 2022 Allowance	<u>3,904</u>	<u>5,546</u>	<u>1,749</u>	<u>978</u>	<u>12,177</u>
Fiscal 2021-2022 Amount Change	-\$45	\$1,242	-\$232	-\$61	\$905
Fiscal 2021-2022 Percent Change	-1.1%	28.8%	-11.7%	-5.8%	8.0%
Where It Goes:					<u>Change</u>
Personnel Expenses					
Annualization of fiscal 2021 2% general salary increase					\$38
Restore unemployment compensation funding, after one-time reduction in funding					7
Employees retirement system.....					5
Other fringe benefit adjustments					5
Annual salary review.....					4
Turnover rate increases by 1.01 percentage points.....					-34
Accessible and Assistive Technology					
New contract term for Maryland Relay Services					1,000
MDOA’s Senior Call Check Program to accommodate increased live calls and enrollment.....					211
Anticipated MAT and ATE contract expenditures.....					103
Continued transition of TAM to MDOD.....					81
Purchase and modify new software to support MAT					69
MDTAP for new programs.....					54
Grants to support the purchase of assistive technology.....					-8
Anticipated maintenance costs for legacy MAT software.....					-146
Program Administration					
Money Follows the Person provider rates to account for inflation					60
Consultant to develop Developmental Disabilities Council five-year plan.....					21
Self-advocate training for individuals with intellectual or developmental disabilities					-18
Accessible Housing Program, mostly due to phasing out vendor services that can be accommodated with existing MDOD staff.....					-109
MD PROMISE pilot program concludes					-186

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Where It Goes:	<u>Change</u>
Other Expenses	
Statewide cost allocations	-46
Align expenditures with recent experience	-74
Administrative expenses during the pandemic.....	-126
Other changes.....	-8
Total	\$905

ATE: Assistive Technology Equipment Program
 MAT: Maryland Accessible Telecommunications Program
 MDOA: Maryland Department of Aging
 MDOD: Maryland Department of Disabilities
 MD PROMISE: Maryland Promoting Readiness of Minors in Supplemental Security Income
 MDTAP: Maryland Technology Assistance Program
 TAM: Telecommunications Access of Maryland Program

Note: Numbers may not sum due to rounding. The fiscal 2021 appropriation includes deficiencies, planned reversions, and general salary increases. The fiscal 2022 allowance includes contingent reductions, annual salary review adjustments, and the annualization of general salary increases.

Personnel Data

	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 21-22</u>
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>
Regular Positions	28.80	34.80	34.80	0.00
Contractual FTEs	<u>6.13</u>	<u>3.65</u>	<u>3.13</u>	<u>-0.52</u>
Total Personnel	34.93	38.45	37.93	-0.52

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	1.05	3.01%
Positions and Percentage Vacant as of 12/31/20	5.00	14.37%
Vacancies Above Turnover	3.95	

- A net 0.5 contractual full-time equivalent (FTE) was removed from the fiscal 2022 allowance. Two 0.25 FTEs served as program managers for the federal pilot MD PROMISE program. Federal funding for this program concluded after the first quarter of fiscal 2021, coinciding with the end of federal fiscal 2020. One AT specialist FTE also experiences a slight decrease in time worked, accounting for the remaining 0.02 FTE decrease.
- In addition, 1 ACP administrative assistant position decreases from 1.0 FTE in fiscal 2021 to

0.75 FTE in fiscal 2022. However, the decrease is offset by increasing an AT specialist FTE from 0.5 FTE in fiscal 2021 to 0.75 FTE in fiscal 2022.

- The allowance includes funding for 4 long-term vacant positions, ranging from 15 months vacant to more than 38 months vacant. However, the 2 longest vacant positions were transferred from DoIT with the TAM program. MDOD intends to fill all 4 positions in fiscal 2021. **MDOD should comment on when it expects to fill the four long term vacant positions.**

Key Observations

1. Statewide Information Technology Accessibility Initiative

Chapter 682 of 2018 required DoIT to adopt new nonvisual access procurement standards by January 1, 2020. The new standards would provide nonvisual access for individuals with disabilities so that they are able to acquire the same information, engage in the same interactions, and enjoy the same services as users without disabilities, with substantially equivalent ease of use, consistent with the standards of Section 508 of the federal Rehabilitation Act of 1973. To implement Chapter 682, MDOD has created the Statewide Information Technology Accessibility Initiative (“the initiative”). MDOD collaborates with the main implementing agencies, DoIT and the Department of General Services (DGS), and offers expertise in accessibility topics.

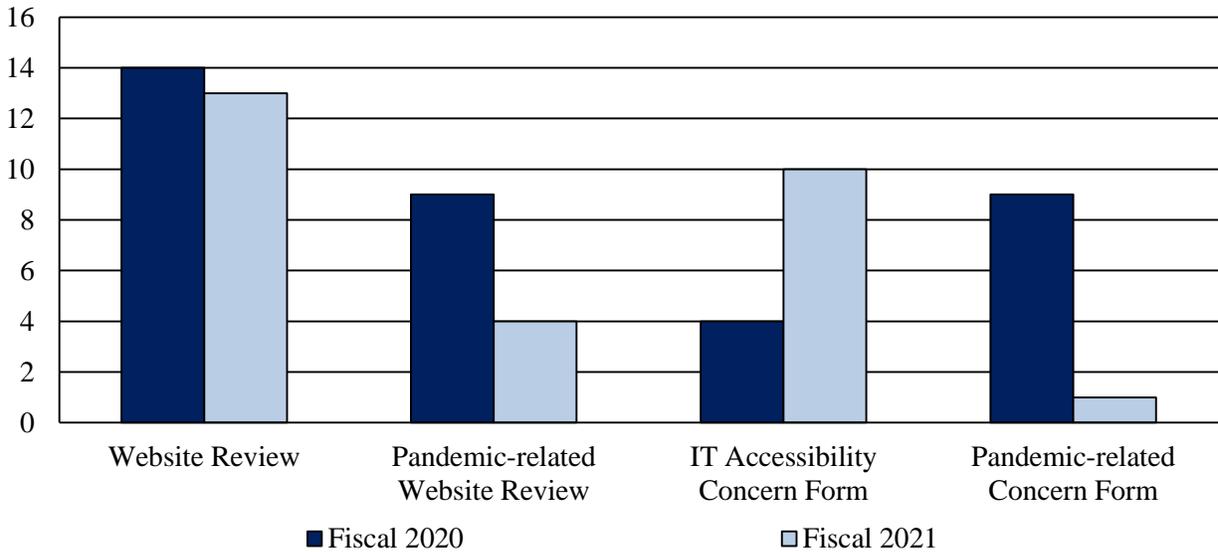
Fiscal 2020 and 2021 Activities

In fiscal 2020, MDOD devoted 2 staff and 1 unpaid intern from the University of Maryland, Baltimore Campus to the initiative. Staff performed accessibility testing on State websites and provided technical assistance and training to agencies. IT staff at the individual State agencies are ultimately responsible for making modifications to an agency’s website.

The initiative offers automated testing, which evaluates all pages in a domain, and also manual testing, which provides detailed evaluations of specific areas of a website. In fiscal 2020, MDOD received 23 State agency website review requests; of those, 9 were webpages related to the State’s response to COVID-19. In fiscal 2021, MDOD has received 17 requests for review of State agency websites, 4 of which were for pandemic-related websites. MDOD performs quarterly automated audits of 114 websites managed by DoIT.

MDOD also created an online IT Accessibility Concern Form for State employees and the public to report accessibility issues. In fiscal 2020, 4 forms were submitted. In fiscal 2021, 10 forms have been submitted. During the pandemic, MDOD developed a separate form for COVID-19-related accessibility concerns; 9 of these forms were submitted in fiscal 2020, and 1 has been submitted in fiscal 2021. **Exhibit 3** depicts the instances of website review and IT accessibility concern form filing in fiscal 2020 and 2021.

Exhibit 3
Website Review and IT Accessibility Concern Form Filing
Fiscal 2020-2021



IT: information technology

Note: The exhibit includes fiscal 2021 data available through February 1, 2021.

Source: Maryland Department of Disabilities

Throughout calendar 2020, MDOD offered a variety of trainings on nonvisual accessibility topics. In August 2020, MDOD created and piloted an accessible IT procurement training module with DGS staff to prepare for the DGS implementation of a statewide procurement curriculum. MDOD is currently providing this training statewide through March 2021.

Included in MDOD’s response to the 2020 *Joint Chairmen’s Report* (JCR), MDOD provided a plan describing how the initiative will be implemented. The initiative is expected to be ongoing as new content is continually added to State agency websites. MDOD also plans to regularly revisit and refine the best practices it offers for implementation in State IT procurement.

Limited information is available describing the long-term vision for the initiative. MDOD’s plan describing how the initiative will be implemented does not establish any accessibility milestones that MDOD would like to achieve in the near future. MDOD plans to offer frequent trainings in nonvisual accessibility topics while continuing to monitor and evaluate websites. Yet, is unclear how MDOD will determine whether the trainings are having a meaningful impact on State agency staff’s awareness of barriers to nonvisual accessibility or how compliance with nonvisual accessibility guidelines will be encouraged or enforced.

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In addition, for the second consecutive year, MDOD did not provide an assessment of the current nonvisual accessibility of State websites and documents as requested in the 2020 JCR. MDOD reports that 114 websites are evaluated on a quarterly basis but did not report any findings associated with those evaluations and did not make any determination about the current nonvisual accessibility of State websites and documents. Without this baseline understanding of the current nonvisual accessibility of State websites and documents, it is unclear how much outstanding remediation remains.

MDOD also has not completed a guideline document for State agencies to use when developing requests for proposals (RFP) that are compliant with IT accessibility standards as requested in the 2020 JCR. MDOD indicates that the pandemic has delayed development of the guideline document but that the document is expected to be completed by the end of fiscal 2021. MDOD notes that the document will provide guidelines related to Maryland State Contract 4.33 Nonvisual Access and 6.2 Technical Proposal Evaluation Criteria. In the absence of a guideline document, MDOD provides *ad hoc* assistance, and DoIT reviews IT RFPs of \$50,000 or more to ensure that the RFPs comply with nonvisual accessibility standards.

The Department of Legislative Services recommends committee narrative requesting that MDOD submit information describing the planned progression of the initiative and the guideline document.

Operating Budget Recommended Actions

1. Adopt the following narrative:

Statewide Information Technology Accessibility Initiative Update: For the second consecutive year, the committees have not received the requested assessment of the current nonvisual accessibility of State websites and documents. As the Maryland Department of Disabilities (MDOD) continues to develop its Statewide Information Technology Accessibility Initiative, the committees request that MDOD submit the following:

- a timeline with specific milestones that the initiative is planned to achieve in fiscal 2022 through 2025;
- a guideline document for State agencies to use when developing requests for proposals that are compliant with information technology accessibility standards;
- an assessment of the current nonvisual accessibility of State websites and documents, including a summary of MDOD’s preliminary findings regarding commonly found barriers to nonvisual accessibility of State websites and documents;
- the proportion of State websites and documents that are anticipated to be evaluated by June 30, 2022;
- the proportion of State websites and documents that are anticipated to be accessible by June 30, 2022;
- the amount of funding designated for the initiative in fiscal 2022, including personnel costs; the costs of conferences, seminars, trainings, membership dues; and any other costs associated with the initiative; and
- an estimate of out-year costs for the initiative in fiscal 2023 and 2024.

Information Request	Author	Due Date
Statewide Information Technology Accessibility Initiative Update	MDOD	July 1, 2021

Updates

- ***Assistive Technology Loan Program (ATLP) Participation Declines:*** ATLP provides low-interest, affordable loans to qualifying borrowers with disabilities who have encountered obstacles qualifying for financing for AT in the traditional market. In July 2019, the loan limits were lowered from a maximum of \$60,000 to a new maximum of \$50,000. In addition, loan periods were shortened from a maximum of 120 months to a new maximum of 96 months. MDOD indicated that the newly lowered loan limits, in conjunction with the pandemic, have contributed to a decline in applications for ATLP. In fiscal 2020, 20 loans were issued, whereas 58 were issued in fiscal 2019, and 70 were issued in fiscal 2018.
- ***Maryland Achieving a Better Life Experience Participation Continues to Grow:*** Maryland Achieving a Better Life Experience 529 Savings Plan (Maryland ABLE) accounts allow individuals with disabilities to save money and pay for qualified disability-related expenses without jeopardizing means-tested benefits like Supplemental Security Income or Medicaid. Although Maryland ABLE is overseen by the Maryland 529 Board and not MDOD, its performance measures are considered when examining the State’s service to Marylanders with disabilities. Between fiscal 2019 and 2020, the number of accounts managed grew by 62%, and the assets under management more than doubled, increasing from \$8.1 million in fiscal 2019 to \$17 million in fiscal 2020.
- ***Renewed Funding for the Affordable Housing Program for Marylanders with Disabilities:*** In September 2020, the Governor announced that the Harry and Jeanette Weinberg Foundation will provide \$3 million to support a capital grant creating affordable and integrated community living opportunities statewide for extremely low-income people with disabilities. MDOD manages this program’s waitlist, while the Department of Housing and Community Development administers the program funds.
- ***State Disabilities Plan to be Released Soon:*** Although planned to be released prior to the 2021 legislative session, the State Disabilities Plan is now planned to be published in February 2021. The previous plan was effective from 2016 through 2019.

Appendix 1
2020 Joint Chairmen’s Report Responses from Agency

The 2020 *Joint Chairmen’s Report* (JCR) requested that the Department of Disabilities prepare one report. Electronic copies of the full JCR responses can be found on the Department of Legislative Services Library website.

- ***Information Technology Accessibility Initiative Update:*** Further discussion of this report can be found in Key Observation 1 of this analysis.

**Appendix 2
Object/Fund Difference Report
Department of Disabilities**

<u>Object/Fund</u>	<u>FY 20 Actual</u>	<u>FY 21 Working Appropriation</u>	<u>FY 22 Allowance</u>	<u>FY 21 - FY 22 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	28.80	34.80	34.80	0.00	0%
02 Contractual	6.13	3.65	3.13	-0.52	-14.2%
Total Positions	34.93	38.45	37.93	-0.52	-1.4%
Objects					
01 Salaries and Wages	\$ 2,821,658	\$ 3,704,639	\$ 3,687,725	-\$ 16,914	-0.5%
02 Technical and Special Fees	245,179	202,624	197,990	-4,634	-2.3%
03 Communication	30,472	156,846	63,515	-93,331	-59.5%
04 Travel	94,773	111,888	61,250	-50,638	-45.3%
06 Fuel and Utilities	3,122	3,357	3,357	0	0%
07 Motor Vehicles	34,834	35,267	38,427	3,160	9.0%
08 Contractual Services	3,014,036	4,551,758	5,612,097	1,060,339	23.3%
09 Supplies and Materials	19,872	34,946	31,035	-3,911	-11.2%
10 Equipment – Replacement	2,464	34,200	13,708	-20,492	-59.9%
11 Equipment – Additional	31,544	18,300	23,300	5,000	27.3%
12 Grants, Subsidies, and Contributions	2,327,982	2,101,778	2,080,894	-20,884	-1.0%
13 Fixed Charges	167,150	291,958	296,298	4,340	1.5%
Total Objects	\$ 8,793,086	\$ 11,247,561	\$ 12,109,596	\$ 862,035	7.7%
Funds					
01 General Fund	\$ 3,683,660	\$ 3,934,658	\$ 3,873,951	-\$ 60,707	-1.5%
03 Special Fund	291,608	4,303,537	5,527,786	1,224,249	28.4%
05 Federal Fund	3,831,911	1,971,200	1,733,560	-237,640	-12.1%
09 Reimbursable Fund	985,907	1,038,166	974,299	-63,867	-6.2%
Total Funds	\$ 8,793,086	\$ 11,247,561	\$ 12,109,596	\$ 862,035	7.7%

Note: The fiscal 2021 appropriation does not include deficiencies, targeted reversions, or across-the-board reductions. The fiscal 2022 allowance does not include contingent reductions, annual salary reviews, or annualization of general salary increases.