

## D12A02 Department of Disabilities

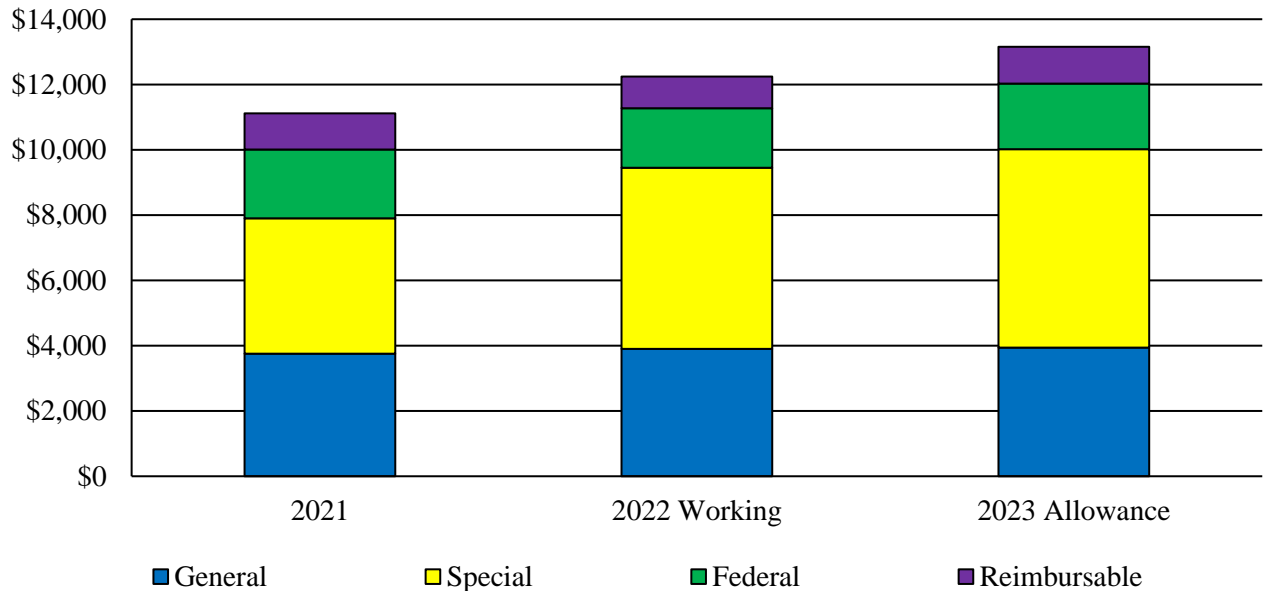
### Program Description

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*

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**Fiscal 2023 Budget Increases \$909,698, or 7.4%, to \$13.2 Million**  
(\$ in Thousands)



Note: The fiscal 2022 working appropriation includes deficiency appropriations. The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

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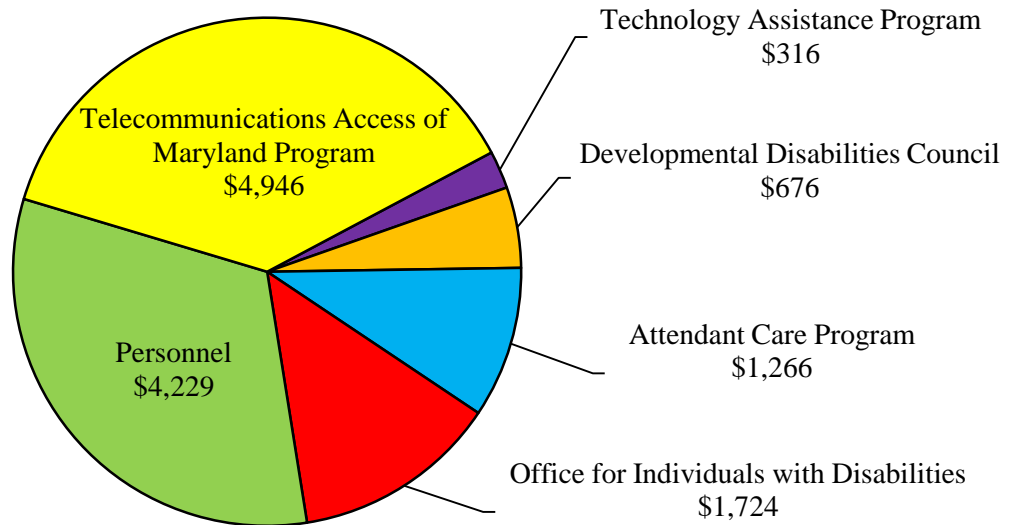
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- While general funds remain level in the fiscal 2023 allowance, all other fund sources increase by nearly 10% or more from the fiscal 2022 working appropriation.
- Special fund expenditures account for the largest share of the overall budget increase. This increase is mostly driven by TAM expenditures for assistive technology services and accessible telecommunications evaluation centers.

### Fiscal 2023 Overview of Agency Spending

The fiscal 2023 allowance of MDOD totals \$13.2 million. As shown in **Exhibit 1**, TAM comprises 37.6% of the allowance. Slightly less than a third of the fiscal 2023 allowance supports personnel. The next largest shares of the fiscal 2023 allowance include the administrative Office for Individuals with Disabilities (13.1%) and ACP (9.6%). ACP provides financial assistance to help individuals with severe chronic or permanent physical disabilities who require attendant care services direct their own care.

**Exhibit 1**  
**Overview of Agency Spending**  
Fiscal 2023 Allowance  
(\$ in Thousands)



Note: The fiscal 2023 allowance does not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

Source: Governor’s Fiscal 2023 Budget Books

## Proposed Budget Change

As shown in **Exhibit 2**, the fiscal 2023 allowance increases \$909,698 compared to the fiscal 2022 working appropriation. The largest increase (\$554,000) is due to increased expenditures for TAM services that connect individuals with disabilities to assistive technology. Further discussion of TAM program expansions is included in Key Observation 1 of this analysis. Another notable increase in the fiscal 2023 allowance is the elimination of a turnover adjustment in fiscal 2023. The largest decrease in the fiscal 2023 allowance of MDOD is in the Senior Call Check program.

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

<b>How Much It Grows:</b>	<b>General Fund</b>	<b>Special Fund</b>	<b>Federal Fund</b>	<b>Reimb. Fund</b>	<b>Total</b>
Fiscal 2021 Actual	\$3,750	\$4,151	\$2,110	\$1,106	\$11,117
Fiscal 2022 Working Appropriation	3,904	5,547	1,819	978	12,248
Fiscal 2023 Allowance	<u>3,943</u>	<u>6,072</u>	<u>2,018</u>	<u>1,125</u>	<u>13,158</u>
Fiscal 2022-2023 Amount Change	\$39	\$524	\$199	\$148	\$910
Fiscal 2022-2023 Percent Change	1.0%	9.5%	10.9%	15.1%	7.4%
<b>Where It Goes:</b>					<b><u>Change</u></b>
<b>Personnel Expenses</b>					
Eliminate turnover expectancy .....					\$100
Employee and retiree health insurance .....					42
Employee retirement system.....					13
<b>Contractual Full-time Equivalents (FTE)</b>					
Contractual FTE regular earnings, driven by increase of 1.99 FTE .....					120
Training.....					-5
Health insurance .....					-6
<b>General Administrative Expenditures</b>					
MFP Peer Outreach and Support and Housing programs, including developing an affordable housing registry for individuals with disabilities.....					118
Expanded and enhanced services including MDTAP programs.....					70
Assistive technology demonstration and loan equipment.....					46
Increased training and conference attendance from pandemic levels, partially offset by savings from virtual attendance and meetings .....					29
Rent.....					9
Anticipated computer equipment, software maintenance, and phone needs .....					7
Align printing and supplies costs with actual .....					-6

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<b>Where It Goes:</b>	<b><u>Change</u></b>
Temporary staffing due to addition of contractual FTEs .....	-21
<b>Telecommunications Access of Maryland</b>	
New assistive technology equipment exchange contracts to provide eligible individuals a greater range of accessible telecommunications equipment .....	554
Replacement of customer relationship management software.....	75
Grants to the Maryland State Library National Federation of the Blind-Newsline Reading Service and to the nonprofit Deaf in Government.....	40
Anticipated programwide reduction in Senior Call Check expenditures.....	-253
<b>Developmental Disabilities Council</b>	
Publication, translation, and printing of Council’s 5-year State Plan and other informational materials .....	27
Anticipation of return to increased in-person meetings .....	6
Subscriptions to virtual meeting software, including Zoom.....	2
Align training and equipment expenditures to align with recent actuals .....	-4
One-time federal grant to support vaccine access for individuals with disabilities .....	-70
<b>Other Changes</b>	
Other changes .....	20
Statewide cost allocations.....	-5
Sign language interpreting services .....	-10
<b>Total</b>	<b>\$910</b>

MFP: Money Follows the Person  
MDTAP: Maryland Technology Assistance Program

Note: Numbers may not sum to total due to rounding. The fiscal 2022 working appropriation includes deficiency appropriations. The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.

***Personnel Data***

	<b><u>FY 21</u></b>	<b><u>FY 22</u></b>	<b><u>FY 23</u></b>	<b><u>FY 22-23</u></b>
	<b><u>Actual</u></b>	<b><u>Working</u></b>	<b><u>Allowance</u></b>	<b><u>Change</u></b>
Regular Positions	34.80	34.80	34.80	0.00
Contractual FTEs	<u>5.36</u>	<u>3.13</u>	<u>5.12</u>	<u>1.99</u>
<b>Total Personnel</b>	<b>40.16</b>	<b>37.93</b>	<b>39.92</b>	<b>1.99</b>

***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/21	3.00	8.62%
Vacancies Above Turnover	3.00	

- The fiscal 2023 allowance adds 1.99 contractual full-time equivalents (FTE), reflecting the net of an addition of 1.5 FTE to support TAM, an addition of 0.74 FTE to support MDTAP, and a reduction of 0.25 to support to the Assistive Technology Loan Program Administrator.
- One federally funded position, an administrator II, has been vacant since June 2018. This position was originally used for the now concluded MD PROMISE federal pilot program, and during the 2021 session, MDOD was exploring ways to repurpose the position. MDOD intends to use the position to support assistive technology services.

## ***Key Observations***

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### **1. Increased Expenditures from the Universal Services Trust Fund**

Universal Services Trust Fund (USTF) revenue comes from a \$0.05 monthly telecommunications subscriber surcharge to customers of communications companies that provide landline telephone service, wireless/cellular telephone service, or Voice over Internet Protocol service in Maryland. The USTF may be used to support the TAM program, including Maryland Relay services and the provision of accessible telecommunications equipment to eligible individuals, and the Maryland Department of Aging (MDOA)’s Senior Call Check Program. There are currently no waitlists for USTF-funded programs.

Chapter 586 of 2020 transferred the administration and management of TAM, the Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals programs, and the USTF from Department of Information Technology (DoIT) to MDOD. When transferred in fiscal 2021, the USTF held a \$12.8 million fund balance that MDOD projects will decrease to \$6.7 million at the close of fiscal 2023, as shown in **Exhibit 3**.

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**Exhibit 3**  
**Universal Services Trust Fund Balance**  
**Fiscal 2021-2027**

	<u>2021</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<b>Beginning Balance</b>	<b>\$13,883</b>	<b>\$12,763</b>	<b>\$12,032</b>	<b>\$9,623</b>
Revenue	2,719	3,085	2,798	2,798
Expenditures	-3,839	-3,816	-5,207	-5,696
<b>Ending Balance</b>	<b>\$12,763</b>	<b>\$12,032</b>	<b>\$9,623</b>	<b>\$6,725</b>

Source: Department of Budget and Management; Maryland Department of Disabilities

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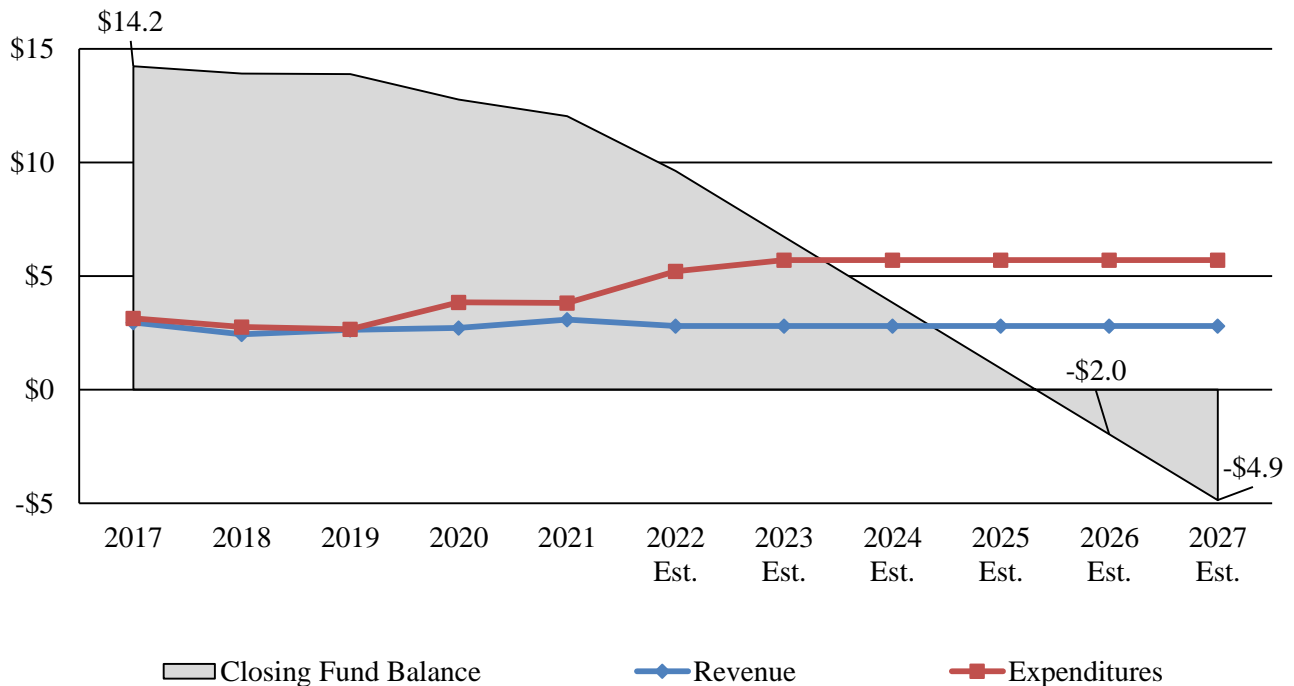
The fiscal 2022 working appropriation exceeds the fiscal 2021 actual expenditures by \$1.4 million. Expenditures are projected to increase an additional \$489,254 in the fiscal 2023 allowance. MDOD indicates increased spending in fiscal 2022 and 2023 supports the Senior Call Check program and modifications to TAM services including:

- accounting for annual rate increases for Maryland Relay services;

- expanding the type of accessible telecommunications devices available to individuals that have difficulties using a standard telephone through the Maryland Accessible Telecommunications (MAT) program; and
- implementing a requirement of Chapter 586 to provide a system for eligible individuals that cannot access relay services in a traditional manner to obtain a communication facilitator or related support services.

In fiscal 2023, MDOD anticipates expenditures to be double the incoming revenue. MDOD projects this spending imbalance to continue in the out-years, and if the telecommunications subscriber surcharge remains level, to eventually deplete the fund balance and incur a shortfall by the close of fiscal 2026. As shown in **Exhibit 4**, the fiscal 2022 through 2027 spending plan represents a substantial shift from recent experience. MDOD advises that several factors could affect expenditure projections including variable usage of Maryland Relay services that are difficult to estimate; MAT program costs after a new contract is awarded in summer 2022; and uptake of the Senior Call Check program, for which MDOD does not currently have projections.

**Exhibit 4**  
**Universal Services Trust Fund Revenue and Expenditures**  
**Fiscal 2017-2027**  
**(\$ in Millions)**



Source: Maryland Department of Disabilities

**MDOD should comment on its coordination with MDOA in overseeing the Senior Call Check program and the reason for the anticipated decrease in funding for the Senior Call Check program in the fiscal 2023 allowance, including whether it relates to the declining USTF balance and if this decrease will result in programmatic changes.**

**As MDOD prepares to spend down the fund balance and substantially restructure the TAM program, the Department of Legislative Services (DLS) recommends that MDOD submit a report describing its progress implementing the planned programmatic changes, data indicating utilization of TAM services, and updated projections of USTF revenues and expenditures in the out-years.**

## **2. Maryland Assistive Technology Reuse Center**

At the beginning of calendar 2020, MDTAP established the Maryland Assistive Technology Reuse (MATR) Center. The MATR Center accepts donations of high-tech assistive technology (like video magnifiers and adaptive computer equipment), refurbishes the equipment, and redistributes the equipment to the public at no cost. MDOD has a memorandum of understanding (MOU) with the Howard County Loan Closet to house the MATR Center. MDOD uses this space at no cost. The MATR Center is also supported by one part-time staff.

The value of equipment distributed through the MATR Center can range from a few hundred to a few thousand dollars. The first equipment distribution occurred in November 2020, and in fiscal 2021, 11 people received equipment worth a total of \$32,340. MDOD expects to serve a total of 22 people in fiscal 2022 and an additional 3% each year thereafter. In fiscal 2022, through November 24, 2021:

- 11 individuals received equipment worth a total of \$15,766;
- the average value of the equipment was \$1,106; and
- the value of all equipment in inventory was \$163,720.

MDOA also administers an equipment reuse program for durable medical equipment. MDOD and MDOA reciprocally refer individuals that could benefit from each program and increase awareness of the programs. The agencies coordinate equipment donations to the appropriate program. Both programs will serve any individual that can use the available equipment in inventory. Neither program maintains a waitlist if an individual needs equipment that is not in inventory. However, MDOD will work to find individuals the needed equipment through the department's existing Assistive Technology Loan Program.

MDOD indicates that the reuse activities carried out through the MATR Center constitute an essential function of MDTAP and that expenditures for the MATR Center cannot easily be disaggregated from wider MDTAP spending. Nevertheless, given the relatively low value of equipment



distributed by the MATR Center in fiscal 2021 and thus far in fiscal 2022, understanding MATR Center costs is essential to determining whether this service model is the most cost-effective approach to providing eligible individuals with high-tech assistive technology. **MDOD should be prepared to provide an approximate estimate of MATR Center expenditures in fiscal 2022 and 2023.**

### **3. Statewide Information Technology Accessibility Initiative**

The Statewide Information Technology Accessibility Initiative is an interagency partnership between MDOD, DoIT, and the Department of General Services. The initiative works to make the State's online presence more nonvisually accessible. The initiative accepts remediation requests, tests State webpages, remediates noncompliant webpages, and evaluates the accessibility of information technology procurements. The primary goals of the initiative include completing website evaluations; training State employees in accessible information communication technology (ICT); and ensuring that specific ICT accessibility language, activities, evaluation methods, and other criteria are included in State procurements.

In July 2021, MDOD submitted a report including the guideline document developed for State agencies' procurement officers. In addition, MDOD submitted a timeline of its planned initiative activities from fiscal 2022 through 2025; some notable activities in each year include:

- in fiscal 2022, MDOD will develop training and consult with DoIT on all its managed websites;
- in fiscal 2023, MDOD plans to establish training for DoIT procurement reviewers, publish a State of Accessibility report, and complete an automated statewide audit and an in-depth audit of DoIT-managed websites to establish baseline accessibility scores for comparison;
- in fiscal 2024, audits are expected to continue, and nonvisual accessibility standards for mobile devices and for other disabilities will be defined; and
- in fiscal 2025, websites not reviewed within the prior two years will be manually tested, additional training resources will be developed, and MDOD will create and support an accessible procurement community practices group.

MDOD estimates that its expenditures on the initiative will be \$142,566 in fiscal 2022, \$150,000 in fiscal 2023, and \$152,000 in fiscal 2024.

In fiscal 2021, MDOD performed automated testing on 128 State websites and manually tested 28 State websites. In that year, 27 State agencies requested accessibility remediation services. By the end of fiscal 2022, 70 to 75 State websites are expected to be evaluated. Of the 55 State websites managed by DoIT, approximately 40 are expected to have improved accessibility by the end of fiscal 2022.

## ***Operating Budget Recommended Actions***

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1. Adopt the following narrative:

**Expenditures and Projected Balance of the Universal Services Trust Fund (USTF):** The USTF is funded by a telecommunications subscriber surcharge. Allowable uses of the USTF are primarily limited to the provision of accessible telephone service and equipment to individuals that have difficulties using a standard telephone and the Maryland Department of Aging’s (MDOA) Senior Call Check program. In fiscal 2021, the USTF was transferred to the Maryland Department of Disabilities (MDOD) with a fund balance of \$12.8 million. As programmatic changes to the Telecommunications Access of Maryland (TAM) program and operation of the Senior Call Check program are expected to incur expenditures substantially in excess of USTF annual revenues, the committees request MDOD submit a report that:

- projects the USTF balance by fiscal year including anticipated revenue;
- projects, by category of cost, anticipated TAM expenditures from the USTF balance each year through fiscal 2027 and the number of individuals planned to participate in each TAM service each year through fiscal 2027;
- projects, in coordination with MDOA, Senior Call Check participation and program expenditures each year through fiscal 2027;
- describes a plan to address any projected USTF revenue shortfalls;
- lists the service outcomes, with quantifiable performance goals, that are planned to be achieved through increased spending of USTF funds and provides this data indicating calendar 2022 performance against the identified performance goals.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Expenditures and projected balance of the USTF	MDOD MDOA	With the submission of the Governor’s Fiscal 2024 Budget Books

## **Updates**

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- ***MDOD and Maryland Department of Health (MDH) Coordinating to Revise Financial Reporting Forms for Money Follows the Person (MFP) Nursing Facility Peer Outreach and Support Services:*** The MFP Nursing Facility Peer Outreach and Support Services supports nursing facility residents, provides options counseling, and offers information on Medicaid home- and community-based services (HCBS). In federal fiscal 2022, MDOD and MDH worked to implement new financial reporting requirements on MFP contractors, as set forth by the federal Centers for Medicaid and Medicare Services (CMS). During this transition, MFP Nursing Facility Peer Outreach and Support Services were paused from July 1, 2021, through September 16, 2021. Nursing facility residents could still learn about and access Medicaid HCBS through other avenues while the formal program did not operate, and some contractors continued to provide services without reimbursement. In September 2021, MDOD and MDH signed an MOU allowing MFP Nursing Facility Peer Outreach and Support Services to be funded through March 31, 2021, while the agencies work to develop procedures allowing for compliance with the new CMS requirements.
- ***State Disabilities Plan Published:*** The State Disabilities Plan was updated in calendar 2021. The plan is effective until calendar 2023. The plan includes broad outcomes, descriptive strategies, and specific activities that will be taken to improve State services for individuals with disabilities with respect to self-direction, financial well-being, health and wellness, maximizing resources, and accessible communication.
- ***Utilization of Accessible Transportation Services Decreased in Fiscal 2021 Due to the Pandemic:*** In fiscal 2021, the number of Maryland residents certified for paratransit services with both the Maryland Transit Administration (MTA) and the Washington Metropolitan Area Transit Authority (WMATA) increased slightly from fiscal 2020. However, utilization of accessible transportation services in fiscal 2021 decreased from the previous year: the number of MTA paratransit rides decreased by 665,894 (39%); the number of Call-A-Ride trips decreased by 262,023 (33%); and the number of WMATA paratransit rides decreased by 549,166 (46%). MDOD indicates many users reduced their utilization of transit services to limit their risk of exposure while waiting to become fully vaccinated, choosing to limit nonessential trips, and accessing services or employment centers virtually.
- ***Maryland Achieving a Better Life Experience Participation Doubles:*** 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 2020 and 2021, the number of accounts managed grew by 50%, and the assets under

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management doubled, increasing from \$17 million in fiscal 2020 to \$35 million in fiscal 2021. MDOD indicates that the growth in assets under management is likely due to the federal economic stimulus payments.

**Appendix 1**  
**2021 Joint Chairmen’s Report Responses from Agency**

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

- ***Statewide Information Technology Accessibility Initiative:*** Further discussion of this report is included in Key Observation 3 of this analysis.

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

<u>Object/Fund</u>	<u>FY 21 Actual</u>	<u>FY 22 Working Appropriation</u>	<u>FY 23 Allowance</u>	<u>FY 22 - FY 23 Amount Change</u>	<u>Percent Change</u>
<b>Positions</b>					
01 Regular	34.80	34.80	34.80	0.00	0%
02 Contractual	5.36	3.13	5.12	1.99	63.6%
<b>Total Positions</b>	<b>40.16</b>	<b>37.93</b>	<b>39.92</b>	<b>1.99</b>	<b>5.2%</b>
<b>Objects</b>					
01 Salaries and Wages	\$ 3,502,202	\$ 3,756,187	\$ 3,922,241	\$ 166,054	4.4%
02 Technical and Special Fees	314,259	197,990	307,252	109,262	55.2%
03 Communication	41,882	63,515	63,805	290	0.5%
04 Travel	21,349	61,250	92,074	30,824	50.3%
06 Fuel and Utilities	2,244	3,357	3,472	115	3.4%
07 Motor Vehicles	31,412	38,427	40,180	1,753	4.6%
08 Contractual Services	4,661,386	5,624,475	6,188,738	564,263	10.0%
09 Supplies and Materials	101,834	31,035	23,150	-7,885	-25.4%
10 Equipment – Replacement	2,338	13,708	16,576	2,868	20.9%
11 Equipment – Additional	97,377	23,300	80,800	57,500	246.8%
12 Grants, Subsidies, and Contributions	2,056,664	2,150,903	2,126,305	-24,598	-1.1%
13 Fixed Charges	284,239	283,920	293,172	9,252	3.3%
<b>Total Objects</b>	<b>\$ 11,117,186</b>	<b>\$ 12,248,067</b>	<b>\$ 13,157,765</b>	<b>\$ 909,698</b>	<b>7.4%</b>
<b>Funds</b>					
01 General Fund	\$ 3,750,483	\$ 3,903,913	\$ 3,942,573	\$ 38,660	1.0%
03 Special Fund	4,151,071	5,547,126	6,071,592	524,466	9.5%
05 Federal Fund	2,109,721	1,819,464	2,018,372	198,908	10.9%
09 Reimbursable Fund	1,105,911	977,564	1,125,228	147,664	15.1%
<b>Total Funds</b>	<b>\$ 11,117,186</b>	<b>\$ 12,248,067</b>	<b>\$ 13,157,765</b>	<b>\$ 909,698</b>	<b>7.4%</b>

Note: The fiscal 2022 working appropriation and fiscal 2023 allowance do not reflect funding for statewide personnel actions budgeted in the Department of Budget and Management, which include cost-of-living adjustments, increments, bonuses, and may include annual salary review adjustments.