

Carol A. Beatty, Secretary
Christian J. Miele, Deputy Secretary

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



October 1, 2020

The Honorable Lawrence Hogan
State House 100 State Circle
Annapolis, Maryland 21401

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis MD 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis MD 21401

Re: Report required by Health General Article §7-1012(d)(1) SB 417/Ch. 521,2016; HB 420/Ch.522, 2016 (MSAR # 10811)

Ladies and Gentlemen:

Pursuant to Health General Article §7-1012(d) (1) SB 417/Ch. 521,2016; HB 420/Ch.522, 2016 the Maryland Department of Disabilities and the Maryland Department of Health - Developmental Disabilities Administration present the Equal Employment Report 2019. As required in the Ken Capone Equal Employment Act of 2016, the Maryland Department of Disabilities and the Maryland Department of Health - Developmental Disabilities Administration developed a four-year Maryland phase-out plan and subsequent annual reports to end the ability of employers to pay their employees with disabilities sub-minimum wages. The Equal Employment Report 2020 is the fourth annual report out of four total annual reports.

If further information is required, please do not hesitate to contact Elizabeth Hall, Director of Interagency Affairs, Maryland Department of Disabilities. She may be reached at (410) 767-3652.

Sincerely,

A handwritten signature in black ink that reads "Carol A. Beatty". The signature is written in a cursive, flowing style.

Carol A. Beatty

cc: Sarah Albert, Department of Legislative Services (5 copies)



DEPARTMENT OF HEALTH

Robert R. Neall, Secretary

DEPARTMENT OF DISABILITIES

Carol A. Beatty, Secretary

Individuals with Disabilities: Minimum Wage and Community Integration-Ken Capone Equal Employment Act

Annual Report 2020

SUBMITTED OCTOBER 1, 2020

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EXECUTIVE SUMMARY

Pursuant to Health General Article §7-1012(d)(1), SB417/Ch.521,2016 & HB 420/Ch.522,2016 the Maryland Department of Disabilities (MDOD) and the Developmental Disabilities Administration (DDA) in partnership with relevant state agencies, including The Department of Commerce (MDOC), Maryland State Department of Education (MSDE), Maryland Department of Labor (Maryland Labor) and the Division of Rehabilitation Services (DORS) shall develop and implement a plan to phase out subminimum wage jobs on or before October 1, 2020. Individuals with Disabilities – Minimum Wage and Community Integration-Ken Capone Equal Employment Act

- The phase-out plan shall include
 - Identifying benchmarks and outcomes
 - Resources available and needed
 - Tracking outcomes

The MDOD and DDA shall report their findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

DDA and MDOD shall submit the plan by October 1, 2017 and provide progress updates on October 1 of 2018, 2019 and 2020

INTRODUCTION: FAIR LABOR AND STANDARDS ACT AND 14C CERTIFICATES (1938)

The term ‘14c certificate’ derives from a provision in section 14 (c) of the Fair Labor Standards Act or (FLSA) of 1938 and is the origin of ‘Individuals with Disabilities: Minimum Wage and Community Integration-Ken Capone Equal Employment Act’.

FLSA is a historic federal piece of labor legislation and was an integral part of President Franklin Delano Roosevelt’s ‘New Deal’ to aid in recovery from the Great Depression. It standardized many workplace conditions such as the eight-hour work day, overtime, child labor laws and a standard minimum wage.

A lesser known provision in the FLSA is section 14(c) which specifically applies to employees with disabilities. Under section 14 (c) the United States Department of Labor can issue certificates to employers to legally allow them to pay the employees less than the minimum wage if it is deemed their ‘earning or productive capacity is impaired by age, physical or mental deficiency, or injury’.

To determine the subminimum wage of the employees with disabilities, employers perform a time study measuring the productivity of employees with a disability with employees without a disability performing the same work

MARYLAND 14C CERTIFICATES AND 2016 MARYLAND LEGISLATIVE SESSION

The world for people with disabilities has changed dramatically since FLSA was enacted. Advancements in medical care, increased emphasis on community – based settings, and landmark civil rights legislation such as the Americans with Disabilities Act have enhanced the quality of life for people living with a disability today. In a parallel fashion, the employment opportunities for people with disabilities have also expanded as a result of better understanding of how the skills and abilities of individuals with a wide range of disabilities can translated into paid work, particularly with the right supports, new assistive technologies, and an economy shifting away from the more common factory-based employment at the time FLSA was implemented.

State governments have been made aware of the concerns expressed by the disability advocacy community who view subminimum wages as a violation of the civil rights of people with disabilities as well as the increasing number of federal lawsuits being brought against some states for 14(c) violations.

One potential way to address such concerns is to pass state legislation making the 14(c) section inapplicable to the state. This had been done once before prior to Maryland’s legislation. New Hampshire had banned 14c certificates through state legislation in the spring of 2015. New Hampshire’s required efforts required a slightly different approach as there were no employers who were paying their workers sub-minimum wage. Since 2017, Alaska, Maine, Nevada, Oregon, and Seattle have put legislation through to ban subminimum wage. Additionally there are laws which partially banned subminimum wage such as in Reno, Nevada it is now banned for city contracts, in Texas for state contractors and in Washington state law for state agencies.¹²

In Maryland, the catalyst for the legislation began with both the provider and advocacy community. Note: the term ‘provider’ and ‘employer’ can be used interchangeably in this context, understood as the providers are the organizations which provide support services to -people with disabilities. Those services may also include providing paid employment, which, while allowable, is not considered a best practice. The desired employment outcome as articulated across federal agencies is individualized, competitive, integrated employment, meaning the individuals are paid at or above minimum wage, work alongside peers without disabilities and are paid and receive benefits commensurate with individuals without disabilities working for the same business in the same or similar jobs.

In 2014, The Arc of Maryland and Maryland Works convened a workgroup to study the effect of 14c certificates. The resulting recommendation was to collaborate with other organizations to explore options for phasing out 14c certificates.

In 2015, People on the Go, a Maryland self-advocacy organization, composed of and for people with intellectual and/or developmental disabilities, conducted a membership survey and determined their members supported a 14(c) certificate phase-out as well.

¹ <https://www.disabilityscoop.com/2019/07/08/momentum-growing-end-subminimum-wage/26859/>

²<https://www.ncsl.org/blog/2019/08/28/states-weigh-options-on-subminimum-wages-for-workers-with-disabilities.aspx>

People on the Go then began collaborating with other stakeholders resulting in the legislation for the Maryland 2016 legislative session called the Individuals with Disabilities – Minimum Wage and Community Integration-Ken Capone Equal Employment Act or the EEA.

The EEA legislation was based on previous federally-introduced legislation to repeal section 14(c) of the FLSA called the, ‘Transitioning to Integrated and Meaningful Employment Act’ or TIME Act. The TIME Act, introduced to the House of Representatives during the 2015 session, would have repealed 14 (c) section of the FLSA by giving states a three- year phase period to all of the providers who hold 14c Certificates.

INDIVIDUALS WITH DISABILITIES – MINIMUM WAGE AND COMMUNITY INTEGRATION, KEN CAPONE EQUAL EMPLOYMENT ACT (EEA): PHASE-OUT PLAN

The main provision in the EEA is the development and implementation of a phase-out plan of Maryland’s current providers who have a 14c certificate over four years. The EEA was effective October 1st, 2016 and providers have until October 1st, 2020 to phase out their 14c certificate. On October 1st, 2016 there was also a provision banning any organization who had not previously held a certificate from applying for a new certificate.

PHASE-OUT PLAN DEVELOPMENT

To develop the phase-out plan, a group of state and non-state stakeholders formed the EEA workgroup with leadership from the self-advocacy disability community and state disability agencies, MDOD and DDA. From October 2016 – June 2017 the workgroup met to discuss how the plan should be developed and tracked. Members of the workgroup included representatives from Maryland Department of Disabilities, Developmental Disabilities Administration, Department of Commerce, Maryland Department of Labor, Maryland State Department of Education, Maryland Works, Maryland Association of Community Services, The Arc Maryland, People On the Go and the Maryland Developmental Disabilities Council.

The work group gathered data from all relevant agencies (Maryland Labor, DDA, DORS, US DOL) to gain a comprehensive understanding of how many providers currently have 14c certificates, when the certificates were expiring, and how to move forward in tracking the phase-out over the next four -years.

LEGISLATIVE COMPONENTS

Below are the required legislative components addressed in the following phase-out plan. Please note the order in which they are listed below is the order in the legislation and not the order they are listed in the plan. In the plan below the tracking of outcomes (4) was incorporated in the development of the benchmark and desired outcomes (1) requirement. It is then followed by the list of resources (2) with its four subcategories and lastly the federal and state funding programs.

This information will be updated on a yearly basis.

(1) Benchmarks and desired outcomes for each year of the phase-out;

(2) A list of the resources necessary to ensure that individuals with disabilities receive support according to the needs and preferences of the individuals and in an integrated setting, regardless of the nature or, severity of the individuals' disabilities;

- (i) best practices and resources for accessing funding and resources, including for staffing, transportation, and other needed services and supports;
- (ii) best practices and resources for decision making by the individual or the individual's representative, as appropriate;
- (iii) best practices and resources for accessing medical or behavioral support needs; and
- (iv) best practices and resources for addressing family members' concerns or opposition

(3) Application for and use of all federal and state funding programs, including programs available under Medicaid waiver amendments and resources under the Workforce Innovation and Opportunities Act, to assist individuals with disabilities to obtain competitive, integrated employment; and

(4) The tracking of outcomes of individuals with disabilities on the basis of: (i) Wages; (ii) Unemployment rates; (iii) The number of individuals who move from subminimum wage positions to competitive, integrated employment; and (iv) The number of individuals who move from subminimum wage positions to nonpaying activities.

BENCHMARKS AND DESIRED OUTCOMES

All benchmarks and desired outcomes are grounded in the required legislative component. Below are the plans for tracking 14c certificates status, wages, unemployment rates, competitive integrated employment and non-work activities throughout the four-year phase-out.

14C CERTIFICATE METHOD AND PLAN

To track 14c certificates, partners gathered data from the United States Department of Labor (DOL), and DDA to verify 14c certificate status paying close attention to the expiration date of each certificate. The certificates are reissued on a two-year cycle. Legally, the current 14c certificate providers can renew until October 1st 2020 which includes an option for partial renewal in 2019.

The plan has been to track each year how many 14c certificates are in use in Maryland using a collaborative interagency approach.

The baseline data was provided through DOL's yearly revised spreadsheet listing all registered 14c certificates at the beginning of each calendar year. MDOD, Maryland Labor, and DDA collaborated to update any known changes annually before October 1st of 2017-2020 and provide a summary and identify trends.

Annually, there are specific benchmarks addressed in the summaries as detailed in the Table 1. For every year of the phase-out updated lists of providers and their 14c certificate status have been provided.

2017 BENCHMARK SUMMARY

Reduction of total number of Maryland 14c certificate for 2017

- In January 2017, there were 41 Maryland providers with registered 14c certificates. The Active certificates status depends on the expiration date of the 14c certificate. 14c certificates expire every two years. In 2017, all registered 14c certificates were scheduled to expire within the year. Under Maryland law the providers are legally allowed to renew their 14 c certificate until October 1, 2020. This includes a partial renewal.

At the time of 2017 plan submission, 10/1/17

- 18 out of the 41 providers or 44% had chosen to not renew their 14c certificates.
- 17 out of the 41 providers or 41% had chosen to renew their 14c certificates.
- There were 6 providers or 15% who had not informed Maryland Labor whether they would renew or not renew at the time of plan submission in October 2017.
- The 17 providers listed in the 2017 plan submission renewed their certificates
- The six providers listed unknown at the time of the 2017 plan submission, all renewed their certificates.
 - Linwood Center,
 - Arc of Southern MD
 - Rehabilitation Opportunity Inc.
 - Opportunity Builders Inc.
 - Bayside Community Network
 - Chesapeake Center

Total 2017 percentages

- 18 out of the 41 providers or 44% had chosen to not renew their 14c certificates.
- 23 out of the 41 providers or 56% had chosen to renew their 14c certificates.

2018 BENCHMARK SUMMARY AND ADDITIONAL DATA

- Reduction in Total Number of Maryland 14c certificates from 2017
- Number of 2018 Maryland 14c certificates in active use and not in active use
- Average wage of individuals working in various categories of employment
- Number of people working in various categories of employment

Number of 2018 Maryland 14c certificates in active use and not in active us

- In the 2018 report the number of 14c certificate providers has reduced from 41 providers to 23 providers or by 44%

- Of the twenty-three 14c certificate providers: Eighteen 14c Certificates were in active use³ or 78%
- Of the twenty-three 14c certificate Providers: Four 14c Certificates are not in active use or 17%

As a result of being in between years in terms of 14c licensing cycle, DDA conducted interviews with all the majority of DDA 14c certificate holding providers.

- According to agency self-reports, it is anticipated by the time of the submission of the 2019 annual report, only seven DDA provider agencies and one non-DDA provider agency will be utilizing a 14c certificate.
- The majority of 14c providers have a formalized plan customized to their specific needs.
 - Those that did not have a formalized plan in place said they were creating a plan.
- The majority of the providers have a target date to phase-out their 14c certificates.
- All responding providers communicated that all people working under 14c certificates have been notified.
 - This seems to typically be happening during people's annual person centered planning times.
- Most providers mentioned multiple strategies to notify families, including person centered planning meetings and town hall type sessions. Several providers described communication with families about this issue to be complicated due to the multi-faceted approaches needed depending on each provider organization's unique business models and needs of people supported.

The Average wage of individuals working in various categories of employment

- Overall, the hourly wage increased across all categories over four data collection periods in 2018.

The number of people in various categories of employment

- 2018 data showed an increase in the percentage of people taking part in competitive integrated employment, 19.9 % in October 2017 to 21.4% in May 2018. While the percentage of people taking part in sheltered work continued to decrease from 16% in October 2017 to 12.8% in May 2018.

³ At the time of submission one provider had not given information

2019 BENCHMARK SUMMARY

The benchmarks were as follows:

- Reduction in Total Number of Maryland 14c certificates from 2018
- Number of 2019 Maryland 14c certificates expired by time of annual report
 - Number of 2019 Maryland 14c certificates partial renewal
 - Number of 2019 Maryland 14c certificates expired and not renewed will be a larger percentage than the Number of 2019 Maryland 14c certificates partial renewed
- The Average wage of individuals working in various categories of employment
- The number of people in various categories of employment

All benchmarks were met for 2019, please see the summary below.

Reduction in Total Number of Maryland 14c certificates from 2018

- In 2019 the number of 14c certificate providers will reduce from 23 providers in 2018 to four providers by the end of 2019 or by 83%

Number of 2019 Maryland 14c certificates expired by time of annual report

- In the 2019 report the number of 14c certificate providers reduced from 23 providers in 2018 to eight providers in 2019 or a reduction of 65%

Number of 2019 Maryland 14c certificates partial renewal

The number of 2019 Maryland 14c certificates expired and not renewed 19 (83%) is a larger percentage than the Number of 2019 Maryland 14c certificates partial renewed 4 (17%)

- The number of 2019 Maryland 14c certificates expired and not renewed is 19 providers out of the 23 providers or 83% either have expired or will expire by the end of 2019 and will not renew
- Four out of the 23 14c providers or 17% have or will partially renew

The Average wage of individuals working in various categories of employment

Overall, the hourly wage has continued to increase across all categories

The number of people in various categories of employment

Data over the past three years shows an increase in the percentage of people taking part in competitive integrated employment, 20.1 % in October 2017 to 22.2% in May 2019. While the percentage of people taking part in sheltered work continued to decrease from 20.5 % in October 2017 to 9.2 % in May 2019.

2020 BENCHMARK SUMMARY

● NOTE ABOUT 2020 EMPLOYMENT DATA

- Due to COVID-19 a number of data points used in the 2017-2019 EEA legislative reports were not available at the time of the typical data collection. DDA typically tracks individual employment outcome data, including wages, hours worked and types of employment in May of each year. In May 2020, this level of data was not tracked due to COVID-19. Instead, aggregate-level data was collected related to individuals and their employment status in June of 2020. The individual level employment data will be collected next in October 2020 and will provide a more accurate picture of the current employment outcomes for people supported in DDA services.

This year, Maryland has successfully phased – out subminimum wage for people with disabilities and has met all benchmarks. The benchmarks are as follows:

- Reduction in Total Number of Maryland 14c certificates from 2019
- Number of 2020 Maryland 14c certificates by October 1, 2020
- Number of Maryland 14c certificates expired
- The average wage if individuals working in various categories of employment
- The number of people in various categories of employment

REDUCTION IN TOTAL NUMBER OF MARYLAND 14C CERTIFICATES FROM 2019

- The reduction in total number of Maryland 14c certificates is the remaining 14c Certificates from 2019 and 2020 (10)

NUMBER OF 2020 MARYLAND 14C CERTIFICATES BY OCTOBER 1, 2020

- The number of Maryland 14c certificates by October 1st, 2020 is zero

NUMBER OF MARYLAND 14C CERTIFICATES EXPIRED

- The number of Maryland 14c certificated expired is 10

THE AVERAGE WAGE OF INDIVIDUALS WORKING IN VARIOUS CATEGORIES OF EMPLOYMENT

*Note, due to COVID -19 it is not possible to calculate an average. The following is based on the data from October 2019.

The last data available from October 2019, shows that average wages across all categories of employment increased since the 2019 report. Of note the wage increase for the Facility Based/Shelter Job increased 16% from the 2019 report from \$6.64 to \$8.05. Overall the Facility Based/Shelter Job wage increased 63% since October 2016 from \$4.93 to \$8.05. The Individual Competitive Job increased 13.7% from \$10.38 to \$11.80. Individual Contracted Job increased 24.3% from \$9.82 to \$12.21 and Group Integrated Job increased 25.1 % from \$8.63 to \$10.80.

THE NUMBER OF PEOPLE IN VARIOUS CATEGORIES OF EMPLOYMENT

The last data available from October, 2019, shows that numbers of people in Competitive Integrated Employment (CIE) increased since the 2019 report. All other categories of employment (Individual Contracted, Group Integrated and Facility-based/Sheltered Jobs) decreased since the 2019 report.

Data over the past four years shows an increase in the percentage of people taking part in competitive integrated employment, 20.1 % in October 2016 to 22.8% in October 2019. While the percentage of people taking part in sheltered work continued to decrease from 20.5 % in October 2016 to 7.1 % in October 2019.

In the non-work activities graph and table, facility-based non-work has continued to decrease from 55.5% in May 2019 to 52.6% in October 2019. The split between community-based work and volunteer job has remained consistent for the past three data collection cycles.

14C CERTIFICATE TRANSITION STORIES

Josh's Transition from 14c to Competitive Integrated Employment

I first came to Somerset Community Services (SCS) in December of 2011 after aging out of the foster care system. I had no real work experience and had a very difficult time adjusting to all the new changes. I sometimes got frustrated and lost hold my temper. Most of it had to do with me not having a lot of money.

I began doing contract work in the day program, however, the money wasn't that great and I was still very frustrated. Staff began to look at opportunities outside of SCS and I got a job folding pizza boxes at a local restaurant. I really didn't enjoy it and returned to doing subminimum wage contract work at the day program. SCS gave me the opportunity to work on the lawn crew and the money was starting to be better, but I still needed help remaining on task. I was dismissed from that job twice but was hopeful.

All throughout this experience, I had staff who were willing to encourage and mentor me to overcome some of my obstacles. In 2016, I became a part of the Workforce Training Center at SCS and learned valuable job skills that would help me gain competitive employment. I learned self-confidence skills, and interviewing skills. In conjunction with that training, I worked with my residential and programming staff to learn better decision making and budgeting skills. I began learning window washing skills which then led me to a small paid position. Afterwards I interviewed and gained a job cleaning the local marina parking lot. I really liked this job because I was able to be outside and listen to my music while working. I did so well that after the season was over, they invited me to return the next season. This made me feel more confident. I worked so hard and started having less and less frustrations. After 3 years of working at the marina, I interviewed for a job at Salisbury University in their Dining Facilities. I was hired and I am now working on my second semester of competitive employment with them. On my off time from the University, I continue to work at the marina from April through September.

I, as well as my team, are proud of my success. I have gone from not being able to keep money to opening and budgeting my own bank account. I transitioned successfully from Sheltered Workshop work to competitive Integrated employment.

BENCHMARK 1 - ANNUAL 14C CERTIFICATE TRACKING

TABLE 1 ANNUAL 14C CERTIFICATE TRACKING PLAN

Quality Assurance - Provider	
Outcome: Maryland will have no 14c certificate holders by 10/1/20	
Strategy: To track all 14c certificate holders	
Action Step <ul style="list-style-type: none"> ● Gather data on all current 14c certificates on an annual basis 	Measures <ul style="list-style-type: none"> ● Total Number of Maryland 14c certificates ● Number of Maryland 14c certificates expired ● Number of Maryland 14c certificates expired and not renewed ● Number of Maryland 14c certificates renewed
Benchmarks	
2017	<ul style="list-style-type: none"> ● Infrastructure in place to track all Maryland 14c certificate holders Baseline data <ul style="list-style-type: none"> ● Total Number of Maryland 14c certificates <ul style="list-style-type: none"> ○ Number of Maryland 14c certificates expired by time of annual report <ul style="list-style-type: none"> ▪ Number of Maryland 14c certificates expired and not renewed ▪ Number of Maryland 14c certificates renewed
2018	<ul style="list-style-type: none"> ● Reduction in Total Number of Maryland 14c certificates from 2017 ● Number of 2018 Maryland 14c certificates in active use ● Number of 2018 Maryland 14c certificates in not in active use <ul style="list-style-type: none"> ○ The number of 2018 Maryland 14c certificates in active use will be fewer than the number of 14c certificates not in active use
2019	<ul style="list-style-type: none"> ● Reduction in Total Number of Maryland 14c certificates from 2018 ● Number of 2019 Maryland 14c certificates expired by time of annual report ● Number of 2019 Maryland 14c certificates partial renewal <ul style="list-style-type: none"> ○ Number of 2019 Maryland 14c certificates expired and not renewed will be a larger percentage than the Number of 2019 Maryland 14c certificates partial renewed
2020	<ul style="list-style-type: none"> ● Reduction in Total Number of Maryland 14c certificates from 2019 ● Number of 2020 Maryland 14c certificates by October 1, 2020 ● Number of Maryland 14c certificates expired

14C CERTIFICATE METHOD AND PLAN

To track 14c certificates, partners gathered data from the United States Department of Labor (DOL), and DDA to verify 14c certificate status paying close attention to the expiration date of each certificate. The certificates are reissued on a two-year cycle. Legally, the current 14c certificate providers can renew until October 1st 2020 which includes an option for partial renewal in 2019. The plan is to continue to track each year how many 14c certificates are in use in Maryland and whether the agencies that hold them are on the correct trajectory in phasing them out.

2020 14C CERTIFICATE TABLE

#	Provider Name	Agency identified final phase-out date of certificate	Notes
1	Chesterwye Center Inc.	11/19/19	No longer uses a certificate
2	Opportunity Builders Inc. (OBI)	11/30/19	No longer uses a certificate
3	Worcester County Developmental Center, Inc.	12/31/19	No longer uses certificate
4	Dove Pointe, Inc.	12/31/19	No longer uses certificate
5	Bayside Community Network, Inc.	12/31/19	No longer uses certificate
6	Linwood Center	12/31/19	No longer uses a certificate
7	Rehabilitation Opportunities Inc.	8/30/20	No longer uses a certificate
8	Lower Shore Enterprises, Inc.	9/30/20	Final certificate usage date of 9/30/20
9	Chesapeake Center, Inc.	9/30/20	Final certificate usage date of 9/30/20
10	Goodwill Industries of the Chesapeake	9/30/20	Final certificate usage date of 9/30/20

PHASE-OUT PLAN DATA

The 2020 14c certificate table outlines all service providers that held current 14c certificates from the Department of Labor, according to the DOL website posting from January 2019 and 2020. The tables from last year and this year are combined to capture all remaining providers. Each service provider in the above chart was contacted. From the table above, it is confirmed that all providers will be paying workers minimum wage or above by or before 10/1/20.

Maryland DDA Employment Outcome Information System

Utilizing resources within DDA's existing data infrastructure the EEA Phase-Out Plan tracks the legislative data components of the EEA as closely as possible. Since 2014, DDA has partnered with the Institute on Community Inclusion (ICI) in creating the Maryland Employment Outcome Information System. This system is designed to help DDA and its community of stakeholders to provide longitudinal data that support Maryland's goals to improve both participation in integrated employment and the quality of employment outcomes.

DDA funded service providers of DDA's employment or day services, report on each person who receives those services twice a year using a secure web-based reporting tool. Data is collected for a specific two-week point in time twice each year. The data collection happens in the fall (usually October) and in the spring (April or May). The data collected in this initiative is public and can be viewed at <https://www.statedata.info/mdda/>

This data allows the DDA to track individuals working under 14c certificate holding provider organizations, for less than minimum wage and the general movement toward integrated competitive employment and/or time spent in engaging in community-based non-work. This is data that is not be captured just by looking at 'service usage' data.

PERSON CENTERED PLANNING DATA

Aside from the aggregate state data, Individual-level data is also tracked through the use of a Person Centered Plan (PCP). The DDA, in conjunction with a group of stakeholders, developed a new PCP tool that is utilized by all people receiving DDA funded services. It includes an Employment focus area page that asks about a person's employment status, including whether they are making wages less than minimum wage.

If a person is not currently employed in Competitive Integrated Employment, there are fields in which the person and his/her team can identify the barriers and create strategies for addressing them. These are required fields and are tracked and facilitated by the individual's Targeted Case Manager known as a Coordinator of Community Service (CCS).

LEGISLATION AND DATA LANGUAGE NOTES

The terms used in the legislation are not the same terms used in the data that is tracked.

The DDA data collection does not track an unemployment rate, per se. Instead, it looks at aggregate system wide data and can provide numbers within the service system related to various employment outcomes. As stated above, individual level data such as unemployment (or specifically people not currently employed) is tracked in each person's PCP. It is not possible to include this data in this report. It is also important to note that the unduplicated number of people on whom data is collected during each collection cycle changes. Individuals may leave services, others may not access services during the data collection period and new people come into services.

Therefore, it is more critical to look at percentages of people in each activity, and watch trends over time.

For purposes of this plan, the legislation terms equivalence are as follows:

Subminimum wage pay rates are tracked at the individual level. Statewide data is tracked on the following outcomes twice a year for all individuals receiving Day and/or Employment Services, defined previously in this report.:

Information tracked on each person includes their involvement in the following categories of activities during a two-week period:

Individual Competitive Job

Individual has a full or part time job in the typical labor market where the majority of persons employed are not persons with disabilities. The business is located within the community and is not owned or operated by the support organization. The person is on the payroll of the community business.

Individual Contracted Job

Individual has a full or part time job in the typical labor market where the majority of persons employed are not persons with disabilities. The business is located within the community but the person is on the payroll of the human service organization, or the human service organization schedules and supervises the work.

Group Integrated Job

The individual works in a group of 2 to 8 individuals with disabilities in a community setting that includes meaningful interaction with individuals without disabilities. This would typically include work settings described as enclaves or mobile work crews.

Facility-Based Job/Sheltered Work:

Individual works in a group of individuals support organization, but may also occur in large groups in other settings such as a large enclave. This category would include any group larger than 8, and smaller group settings that involve little or no contact with workers without disabilities. Typically, the position is located in a facility or business owned or operated by the support organization, but may also occur in large groups in other settings such as a large enclave.

Community Based Non-Work

Unpaid time spent in integrated community settings, supported in a group of 4 people with disabilities or less, while having access to others without disabilities who are not paid staff or family members. Activities occur at locations available to and used by members of the general community, and include interactions with members of the general community to the same extent as participants without disabilities.

For all employment outcomes, providers also report on:

- Wages earned,
- Hours worked and
- Access to benefits.

To access this data system, go to www.statedata.info/mdda

BENCHMARK 2 - WAGES

WAGES BENCHMARK TABLE

Quality Assurance –Wages	
Outcome: Individuals that are employed, will make minimum wage or above by 2020	
Strategy: Collect data from receiving funding for Day and Employment services	
<u>Action Steps</u>	<u>Measures</u>
1. Track wages of employee	<ul style="list-style-type: none"> ● Average wage of an individuals in Day/Employment Services in any time of employment
Baseline Data and Benchmarks	
2017	<ul style="list-style-type: none"> ● Infrastructure in place to track wages of people in DDA services ● Baseline data <ul style="list-style-type: none"> ○ Average wage of individuals working in various categories of employment ● Benchmarks ● Infrastructure in place to track the following in future reports
2018	<ul style="list-style-type: none"> ○ Average wage of individuals working in various categories of employment October 2017 and May 2018 ○ Analysis of data ○ Average wages will be higher in 2018 than in 2017
2019	<ul style="list-style-type: none"> ○ Average wage of individuals working in various categories of employment October 2018 and May 2019 ○ Analysis of data <ul style="list-style-type: none"> Average wages will be higher in 2019 than 2018
2020	<ul style="list-style-type: none"> ○ Average wage of individuals working in various categories of employment October 2019 and May 2020 <ul style="list-style-type: none"> ▪ *Note: Due to COVID 19 the only data available is from October 2019 ○ Analysis of data <ul style="list-style-type: none"> Average wages will be higher in 2020 than 2019

2020 Wages Outcomes

Infrastructure

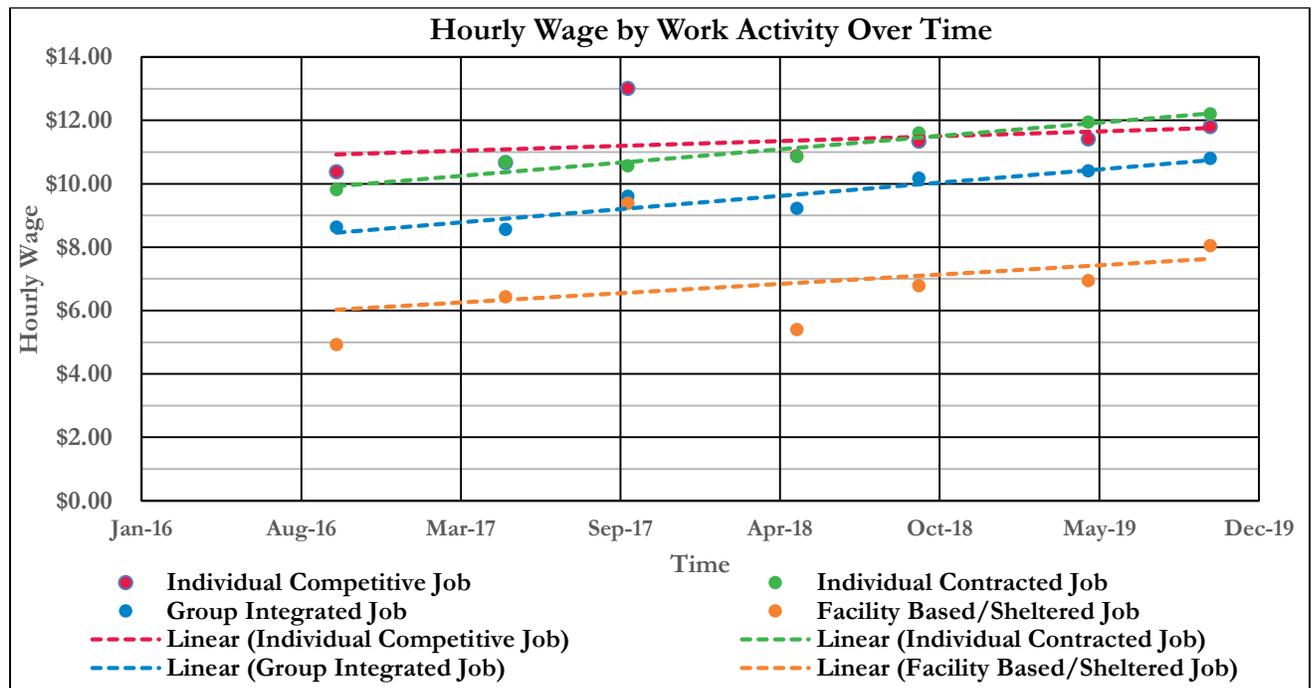
Utilizing the Maryland Developmental Disabilities Administration Employment Outcome Information System, DDA and MDOD can track wages twice yearly (October, May) and track the wages over time for these reports. However, as noted previously, due to COVID-19, there is no 2020 data currently available to include in this report. The next individual level data tracking that will occur is in October 2020. The last data point available is from October, 2019. That data has been used in this report.

HOURLY WAGE ANALYSIS, GRAPH, AND TABLE

The hourly wage has continued to increase across all categories of employment. The dotted trend line was added to all categories to illustrate the trend for each category. The graph and the table below has the average hourly wage for each of the activity categories in the six data collection periods thus far. It has been noted that there is what appears to be anomalous data in October 2017, represented as higher than typical wages reported for people in CIE and Facility-based work.

As of October 2019, the hourly wage has continued to increase across all categories of employment. Of note the wage increase for the Facility Based/Shelter Job increased 16% from the 2019 report from \$6.64 to \$8.05. Overall the Facility Based/Shelter Job wage increased 63% since October 2016 from \$4.93 to \$8.05. The Individual Competitive Job increased 13.7% from \$10.38 to \$11.80. Individual Contracted Job increased 24.3% from \$9.82 to \$12.21 and Group Integrated Job increased 25.1 % from \$8.63 to \$10.80.

Hourly Wage Graph



Hourly Wage Table

	Individual Competitive Job	Individual Contracted Job	Group Integrated Job	Facility Based/Sheltered Job
October 2016	\$10.38	\$9.82	\$8.63	\$4.93
May 2017	\$10.67	\$10.69	\$8.56	\$6.43
October 2017	\$13.01	\$10.57	\$9.60	\$9.38
May 2018	\$10.87	\$10.86	\$9.22	\$5.40
October 2018	\$11.34	\$11.60	\$10.18	\$6.78
May 2019	\$11.41	\$11.94	\$10.41	\$6.94
October 2019	\$11.80	\$12.21	\$10.80	\$8.05

BENCHMARK 3 - EMPLOYMENT RATES

EMPLOYMENT BENCHMARK TABLE

Quality Assurance – Type of Employment and/or Activity	
Outcome: Trackable data related to employment and activity outcomes for people receiving Day and Employment Services	
Strategy: Collect data from DDA through their employment data initiative	
<p><u>Action Steps</u></p> <p>1. Track number of people employed in various settings.</p>	<p><u>Measures</u></p> <ul style="list-style-type: none"> ● Number of people employed in the categories of: <ul style="list-style-type: none"> ○ Individual Competitive Job ○ Individual Contracted Job ○ Group Integrated Job ○ Self-Employment ○ Volunteerism ○ Facility-Based Job/Sheltered Work ○ Community Based Non-Work ○ Volunteer Job ○ Facility-Based Non-Work
Benchmarks	
2017	<ul style="list-style-type: none"> ▪ Number of people engaged in each of the following activities in October 2016 and May 2017 ▪ Individual Competitive Job ▪ Individual Contracted Job ▪ Self-employment ▪ Volunteering ▪ Group Integrated Job ▪ Facility-Based Job/Sheltered Work ▪ Community Based Non-Work ▪ Volunteer Job ▪ Facility-Based Non-Work
2018	<ul style="list-style-type: none"> ▪ Number of people engaged in each of the following activities in October 2017 and May 2018 ▪ Individual Competitive Job ▪ Individual Contracted Job ▪ Self-employment ▪ Volunteering ▪ Group Integrated Job ▪ Facility-Based Job/Sheltered Work ▪ Community Based Non-Work

	<ul style="list-style-type: none"> ▪ Volunteer Job ▪ Facility-Based Non-Work ○ Analysis of Data
2019	<ul style="list-style-type: none"> ○ Number of people engaged in each of the following activities in October 2018 and May 2019 <ul style="list-style-type: none"> ▪ Individual Competitive Job ▪ Individual Contracted Job ▪ Self-employment ▪ Volunteering ▪ Group Integrated Job ▪ Facility-Based Job/Sheltered Work ▪ Community Based Non-Work ▪ Volunteer Job ▪ Facility-Based Non-Work ○ Analysis of data
2020	<ul style="list-style-type: none"> ○ Number of people engaged in each of the following activities in October 2019 and May 2020 *Note: Due to COVID-19 the only data available is October 2019 <ul style="list-style-type: none"> ▪ Individual Competitive Job ▪ Individual Contracted Job ▪ Self-employment ▪ Volunteering ▪ Group Integrated Job ▪ Facility-Based Job/Sheltered Work ▪ Community Based Non-Work ▪ Volunteer Job ▪ Facility-Based Non-Work ○ Analysis of data

WORK AND NON-WORK DATA EXPLANATION

The information on the next two pages summarizes data and work related to supporting the phase out of 14c certificate usage among DDA funded provider organizations. Also included, as well as numbers of people receiving DDA funded Meaningful Day services that are currently working in facility-based/sheltered work and how those numbers shift over time.

It should be noted that the phase out of 14c certificate usage is only one part of DDA and Maryland's larger Employment First initiative, which includes a number of interrelated pieces, all focused on increasing competitive integrated employment and integrated community membership outcomes for people with Intellectual and Developmental Disabilities (I/DD) in Maryland. An overview of those initiatives can be found in the Best Practices section of this report.

For organizations phasing out their 14c certificates, it is not simply a matter of no longer using the certificate, but instead, what kinds of services, supports and interventions are being developed to replace that usage. What those interventions look like vary based on a number of different things: size of the organization, number of people currently working under the certificate, type and size of contracts and the current capacity of the organization to look at other types of services and business models.

When looking at the aggregate data, it's important to remember that a person can take part in multiple activities. So, a person may be engaged in sheltered work and competitively employed. Looking at the percentage of people engaged in a particular activity and how that percentage trends up or down over time is the most accurate way to see the overall effectiveness of systems-wide change initiatives. Equally important comparisons exist when looking at what activities people are engaged in when they are not working. Facility-based non-work decreased slightly, while Community-based non work increased.

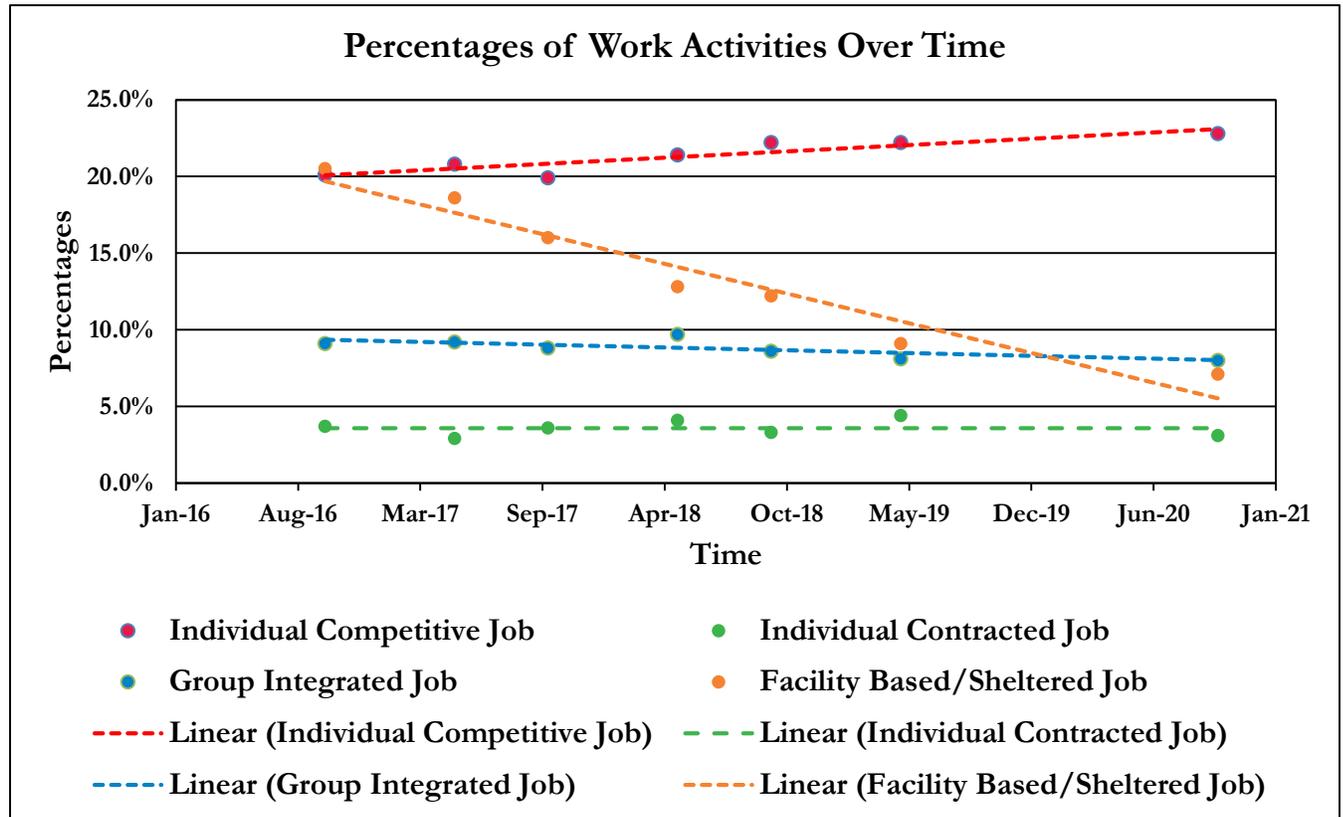
DDA is also developing ways to more accurately track individual-level data through the Person-Centered Planning process, as well as within the Long Term Services and Support System (LTSS) that is currently being developed and implemented.

The DDA will continue working with the Institute on Community Inclusion (ICI) the creator of the Maryland Employment Outcome Information System, to do some deeper data analysis once the 2020 employment outcome data is available.

WORK ANALYSIS, GRAPH, AND TABLE

Data over the past four years shows an increase in the percentage of people taking part in competitive integrated employment, 20.1 % in October 2016 to 22.8% in October 2019. While the percentage of people taking part in sheltered work continued to decrease from 20.5 % in October 2016 to 7.1 % in October 2019.

Work Activities Graph



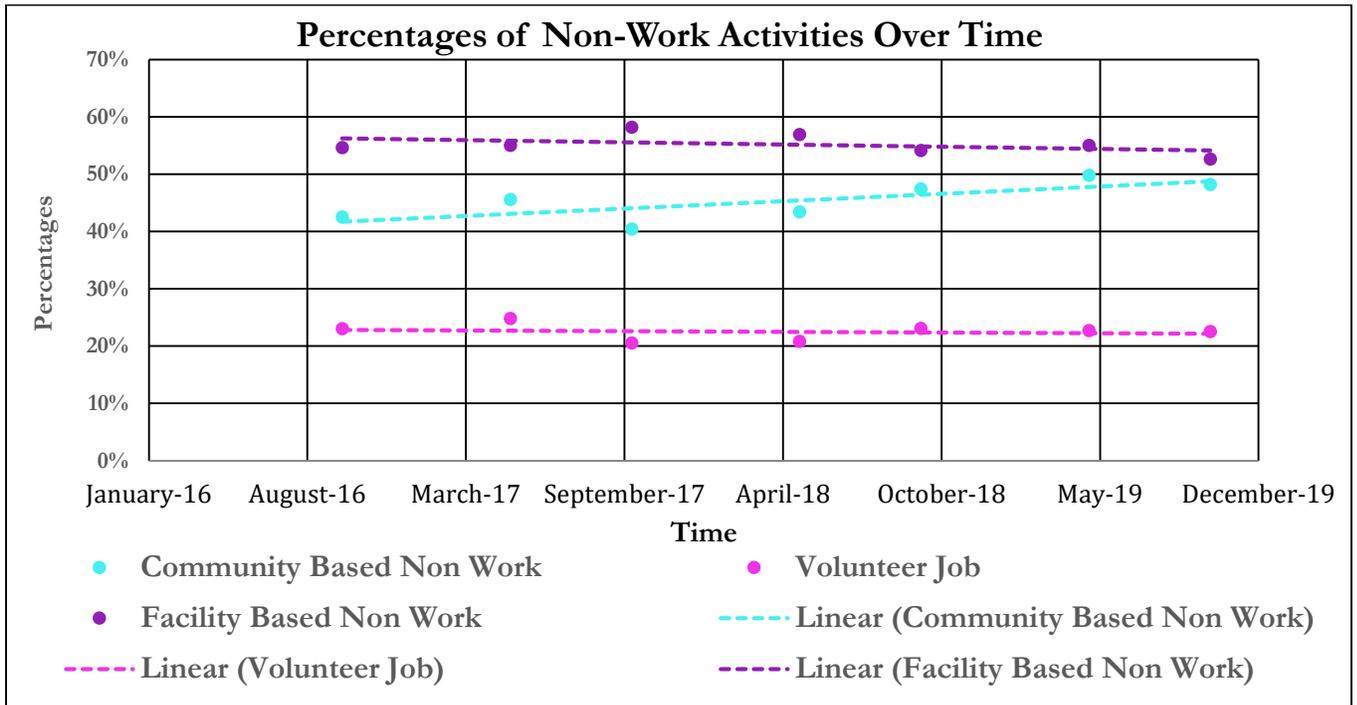
Work Activities Table

	Individual Competitive Job		Individual Contracted Job		Group Integrated Job		Facility-Based/Sheltered Job		Unduplicated Total	
	N	%	N	%	N	%	N	%	N	%
October 2016	2,356	20.1	429	3.7	1,063	9.1	2,401	20.5	11,739	100%
May 2017	2,360	20.8	333	2.9	1,044	9.2	2,111	18.6	11,328	100%
October 2017	2,365	19.9	425	3.6	1,043	8.8	1,900	16	11,859	100%
May 2018	2,500	21.4	477	4.1	1,125	9.7	1,488	12.8	11,657	100%
October 2018	2,525	22.2	376	3.3	982	8.6	1,388	12.2	11,366	100%
May 2019	2,518	22.1	497	2.9	920	9.2	1,043	9.2	11,412	100%
October 2019	2,580	22.8	348	3.1	903	8.0	808	7.1	11,322	100%

NON-WORK ANALYSIS, GRAPH, AND TABLE

In the non-work activities graph and table, facility-based non-work has continued to decrease from 55.5% in May 2019 to 52.6% in October 2019. The split between community-based work and volunteer job has remained consistent for the past three data collection cycles.

Non-Work Activities Graph



Non –Work Activity Table

	Community Based Non Work		Volunteer Job		Facility Based Non Work		Unduplicated Total	
	N	%	N	%	N	%	N	%
October 2016	4,994	42.5	2,703	23	6,405	54.6	11,739	100%
May 2017	5,169	45.6	2,808	24.8	6,233	55	11,328	100%
October 2017	4,792	40.4	2,431	20.5	6,899	58.2	11,859	100%
May 2018	5,054	43.4	2,419	20.8	6,632	56.9	11,657	100%
October 2018	5,388	47.4	2,620	23.1	6,145	54.1	11,366	100%
May 2019	5,681	49.8	2,592	22.7	6,329	55.5	11,412	100%
October 2019	5,455	48.2	2,547	22.5	5,954	52.6	11,322	100%

BEST PRACTICES AND RESOURCES

The last section is centered on best practices and resources. This was compiled by the EEA workgroup.

Legislative components

A list of the resources necessary to ensure that individuals with disabilities receive support according to the needs and preferences of the individuals and in an integrated setting, regardless of the nature or severity of the individuals' disabilities.

1. Best practices and resources for accessing funding and resources, including for staffing, transportation, and other needed services and supports;
2. Best practices and resources for decision making by the individual or the individual's representative, as appropriate;
3. Best practices and resources for accessing medical or behavioral support needs; and
4. Best practices and resources for addressing family members' concerns or opposition

Overview

MDOD and DDA are continuously collecting and disseminating examples of best practices and resources to serve Marylanders better. There are many efforts underway in Maryland to provide information and resources and share best practices to increase the employment outcomes of people with developmental disabilities. This includes information and resources about supporting people to have meaningful days when not working.

It is important to note that, while facility based work that pays subminimum wages are being phased out, there are a host of other options available for individuals and their families to explore and consider as this option is phased out. Options include Discovery and Customization leading to employment, Community based non work such as volunteering, and more. And these options can be combined so that individuals experience meaningful days, in their communities. Those options are defined below in the section about the DDA Waivers. There are many resources to support individuals and their families as they navigate these changes such as Employment First and DDA Transformation initiatives.

I. BEST PRACTICES AND RESOURCES— ACCESSING FUNDING AND RESOURCES

Best Practices - Accessing Funding and Resources

Employment First

The DDA, and the State of Maryland, support the values of Employment First. Employment First is a national initiative led by the Office of Disability Employment Policy, under the Department of Labor. Employment First is defined as:

‘A framework for systems-change that is centered on the premise that **all** citizens, including individuals with significant disabilities, are capable of full participation in integrated employment and community life. Under this approach, publicly-financed systems are urged to align policies, service delivery practices, and reimbursement structures to commit to integrated employment as the priority

option with respect to the use of publicly-financed day and employment services for youth and adults with significant disabilities.’

Employment First State Leadership Team

Maryland’s Employment First State Leadership Team (EFSLT) was established in 2016, to engage partners and stakeholders to strategically ensure that state policies, models of service and funding structures are aligned to decrease barriers so people can get and keep the work they enjoy and do well.

The EFSLT meetings bi-monthly and includes representatives from DDA, MDOD, provider agencies, CCS agencies, education, vocational rehabilitation, self-direction advocacy, self-advocacy, parent advocacy, provider advocacy, Maryland’s protection and advocacy organization, and others.

Maryland APSE

The Association of People Supporting Employment First (APSE) is a national membership organization with the purpose of improving employment outcomes for people with disabilities.

In 2020, Maryland re-launched a state-specific chapter of APSE. Members and a board of directors meet monthly to share news, experiences, and efforts on a wide variety of topics that impact employment of people with disabilities in Maryland through APSE’s Lunch with Leaders initiative. APSE hosts member meetings throughout the year, and as the chapter grows members will be able to participate in committees in the area of Training and Education, Membership, Business Outreach, Strategic Initiatives, Marketing/Outreach, and Policy.

DDA’s Commitment to Employment First and System Realignment

The DDA is committed to enhancing community employment options for people with developmental disabilities. The guiding principle of Employment First is that all people who want to work can work and contribute to their community when given opportunity, training, and support that build upon their unique talents, skills and abilities. Everyone of working age, and those supporting them, must consider employment as the first option prior to any other service options. As fully participating members of their community, people with developmental disabilities will be afforded the opportunity to earn a living wage and engage in work that makes sense to them. Career discovery, exploration, and planning will be supported when assisting people in making informed choices and in designing their unique pathway to increased independence, integration, inclusion, productivity, and self-determination.

Principles of Employment First

- All people have the right to earn a living wage in a job of their choosing, based on their unique talents, gifts, skills, and interests.
- All people have the right to explore the full range of employment options to empower informed choice and foster self-determination.

- As with all employees, people with disabilities should have access to services and supports necessary to succeed in the workplace.
- Identifying barriers to employment is a requirement for all people currently receiving services in order to ensure that supports, services, and outcomes in each Person-Centered Plan (PCP) are consistent with what the person is seeking.
- Businesses universally value employees with disabilities as an integral part of their workforce and include all people within recruitment and hiring efforts as standard practice.

Employment First Vision

- All Marylanders with developmental disabilities of working age (16-64) are:
- Working!
 - Realizing economic self-sufficiency through:
 - Earning wages and benefits that are commensurate to the job and responsibilities
 - Having the opportunity to save income and build assets
 - Having continued access to healthcare and other necessary services, in order to achieve the highest quality of life possible
 - Actively exploring and developing their own unique career path
 - Engaging in the negotiation and terms of their employment
 - Engaging in all aspects of the work environment
 - Building and maintaining connections and relationships throughout their career path
 - Having access to current information, resources and quality services to support their career paths
 - Supported to be participating members of their chosen communities.

Capacity Building

The DDA continues a commitment to support and build the capacity of DDA funded Employment Service providers in Maryland to increase competitive integrated employment outcomes. In September, 2020, DDA partnered with partners at the Institute for Community Inclusion (ICI) University of Massachusetts Boston to begin a 13-month technical assistance (TA) project. The project will provide individualized and group TA and training to 8 Employment Service providers with the goal of increasing employment and community integration for people they support. Providers will be selected based on an application process, including a commitment on focusing away from facility-based supports to community based and employment supports.

The DDA continues to engage stakeholders related to Employment First by sharing a monthly newsletter which highlights up to date resources, best practices and partner collaborations. Archived newsletters can be found at https://dda.health.maryland.gov/Pages/Employment_First_Newsletter_Archive.aspx#

Provider Transformation

The DDA is in year 6 of its transformation efforts, and in September, 2020 provided updates to stakeholders related to the phase in of Maryland's Long Term Services and Supports (LTSS). The DDA is delaying the full implementation of the LTSS Maryland and fee-for-service transition to

provide more time to test and make adjustments to the system and to ensure fiscal payment strategies used within LTSSMaryland function properly. The system needs to work for people in services, families, and providers. The DDA will continue to work closely with a group of transition volunteer providers, Medicaid, and the LTSSMaryland vendor to address the challenges they have experienced and build on lessons learned. In addition, the DDA will not pursue legislation during the upcoming 2021 Legislative Session to mandate the transition from a prospective payment system to a fee-for-service model.

DDA also delayed the phase-in of new employment services and rates/rate structure that will be moving from a prospective payment to a fee for service that had been scheduled for July, 2020. Full implementation is expected sometime in 2021. Ahead of this full implementation, the DDA released Meaningful Day service policies and guidance via the Policy Stat platform, accessible from the DDA website.

https://dhmh.policystat.com/policy_search/category/?terms=39206&terms=39208&terms=39207&search_query=

DDA's Waivers and Meaningful Day Services

Early in 2018, the DDA added 2 new Medicaid waivers to its service provision: the Family Supports Waiver and the Community Supports Waiver. This means that along with DDA's already established Community Pathways Waiver, the Community Supports Waiver also includes DDA's menu of Meaningful Day services.

The DDA is in the process of transforming the Meaningful Day service delivery system from an attendance-based system that only allows access to one Meaningful Service within a given day, to a fee-for-services system that will allow people to access a menu of services, including multiple systems within the same day. This system will allow more choice and flexibility for people and also places a more focused emphasis on competitive employment as the preferred outcome. Full implementation of DDA's new billing system, including billing for hourly or milestone Employment Services is anticipated to occur in 2021.

DDA continues to provide regular updates to stakeholders about the changes, and recently published Meaningful Day policies and guidance documents via the PolicyStat platform. These documents are public and are available on DDA's website at

https://dhmh.policystat.com/policy_search/category/?terms=39206&terms=39208&terms=39207&search_query=

DDA's Response to COVID-19

The Developmental Disabilities Administration (DDA) has gathered resources and developed extensive guidance to assist with the delivery of community-based services in response to the coronavirus disease (COVID-19) outbreak. The DDA continues working with the Maryland Department of Health (MDH) Administrations, the Maryland Department of Disabilities (MDOD), and Maryland and National Advocacy Organizations to help inform and support people in services, family members, direct support professionals, and providers during this challenging time. We are committed to providing information, tools, and resources you need to succeed as the first line of defense for individuals with developmental disabilities in Maryland.

A dedicated page on the DDA website has been created, so that information can be found easily by various stakeholders, on a variety of subjects. The COVID resource page can be found at https://dda.health.maryland.gov/Pages/DDA_COVID-19_Information.aspx

In addition to regular communication sent out and uploaded to the DDA website, DDA has held regular, Friday afternoon webinars, open to all stakeholders. These webinars have provided the opportunity for Bernie Simons, DDA's Deputy Secretary to provide the most up-to-date information related to the DDA service delivery system. Past recorded webinars can be found at https://dda.health.maryland.gov/Pages/DDA_COVID-19_Information.aspx

In an effort to support all people with disabilities and their families, the DDA has also begun hosting the Maryland Community of Practice (CoP) for Supporting Families interactive bi-weekly webinar series titled Supporting Families, facilitated by the Director of Family Supports for the DDA.

Utilizing the principles and tools of Charting the LifeCourse (CtLC) framework, this webinar series addresses different topics and areas of concern, such as ideas for Connecting with Family Members during COVID-19. Families will have the opportunity to share their stories, ask questions and provide feedback on topics for future webinars. Future webinars can be found on the DDA training calendar at http://events.r20.constantcontact.com/calendar/monthview?eso=001qyf_MFnJwY_n7IYnREKV_Kw=&year=2020&month=7

Resources – Accessing Funding and Resources

Developmental Disabilities Administration Eligibility and Application

People with developmental disabilities may apply for DDA services at any time and/or age. If found eligible for services, a person's current needs will be assessed and based on that assessment will be placed into one of the following categories: Crisis Resolution, Crisis Prevention and Current Need. Once placed in a category it may be necessary to be placed on a waiting list.

When funds become available, if appropriate another needs assessment is completed with the Coordinator of Community Services and an application is submitted for Medicaid. Based on needs, approval for a particular waiver may be made. A person, and family would then choose a provider based on their needs and desired outcomes.

More information about DDA eligibility and application can be found at <https://dda.health.maryland.gov/Pages/eligibility.aspx>

DDA Employment First Webinars

The DDA has provided a number of Employment First focused webinars on a variety of topics related to best practices, organizational transformation or systems updates. Webinars are recorded and archives and can be found at:

<https://dda.health.maryland.gov/Pages/DDA%20Webinars.aspx>

LEAD Center

National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD) is a collaborative of disability, workforce and economic empowerment organizations dedicated to improving employment and economic advancement outcomes for all people with disabilities funded by the Office of Disability Employment Policy. Customized employment best practices can found by following the link below:

<http://www.leadcenter.org/customized-employment/discovery>

Transforming and Improving Practices through Customized Technical Assistance (TIP) Grants

The Maryland Developmental Disabilities Council (MDDC), a federally funded public policy organization, in partnership with Maryland Works, continues to support provider agencies with technical assistance grants to increase the number of people with developmental disabilities who work and have meaningful days when not working.

TIP Grants improve the employment outcomes of people with developmental disabilities by building the capacity of community service providers licensed by the Developmental Disabilities Administration. Through customized technical assistance by subject matter experts, providers improve the way services are provided so that more people with developmental disabilities are supported to get and keep the meaningful work they want in their communities and to have meaningful days when not working. All grant recipients participate in a learning community to share their efforts to improve employment outcomes and receive mutual peer support.

Over the last four years, 40 providers supported, including 15 from rural areas. Total funds awarded \$408,457 (\$274,273 from the Council).

Addressing the Technology Needs of People with Developmental Disabilities Service Providers throughout Maryland

The COVID-19 pandemic is affecting all Marylanders, including people with developmental disabilities supported by the Council's Transforming and Improving Practices (TIP) grants. This time-limited demonstration project protects the Council's current investment in round four TIP grants, by addressing the urgent technology needs of people with developmental disabilities seeking virtual employment and meaningful day services. This grant includes six providers and leverages \$72,900 for the purchase of iPads and internet hotspots for the purpose of increasing access to virtual employment and meaningful day services for people with developmental disabilities. Additionally, the pilot will help to inform systems change efforts to provide services and supports to people with developmental disabilities in emergency situations.

Maryland Technology Assistance Program

The Maryland Technology Assistance Program (MDTAP) is a program of the Maryland Department of Disabilities. Their mission is to enhance the lives of all Marylanders with disabilities, older Marylanders, and their families by helping support access to assistive technology (AT) devices and services. MDTAP currently provides a number of services available to constituents including running assistive technology libraries across the state. These libraries, located in Baltimore, Salisbury, and Mechanicsville, allow consumers to access a wide range of assistive technology, take part in hands-on equipment demonstrations, consult with assistive technology specialists, and borrow

devices for one-month trial periods. More information on MDTAP can be found online at www.mdtpap.org

MDTAP also maintains an equipment exchange website which allows consumers to directly sell and/or donate gently used assistive technology and durable medical equipment. This online exchange serves as a platform to increase access to medical equipment and technology that is often not covered through health insurance. Additionally, MDTAP is establishing a high-tech AT reuse center which will serve as a physical repository for gently used assistive technologies. The AT Reuse Center will refurbish and clean equipment before it's donated back out to consumers. Visit <https://www.facebook.com/groups/443254832860014/> to see the complete equipment exchange platform.

Along with direct AT services, MDTAP also runs the AT Financial Loan Program (ATLP), which offers low interest financial loans to Marylanders with disabilities and their families. The program provides loan-guarantees to participating lenders in order to issue low-interest loans for assistive technology, adapted vehicles, and home modifications. Many applicants who utilize the ATLP are unable to secure a traditional loan for these purchases because the financial impact of their disability has placed them into a high-risk loan category. Since 1999, the program has issued nearly \$12 million dollars in loans to Marylanders with disabilities, has maintained an incredibly low default rate of 3%, and maintains a loan balance for new loans of about \$2 million dollars. For more information on the AT Loan Program, please visit <http://mdod.maryland.gov/mdtap/Pages/AT-Financial-Loan-Program.aspx>.

Maryland ABLE Program

Governor Hogan signed the Achieving a Better Life Experience (ABLE) Act ([HB431](#)) on April 12, 2016 enabling Maryland to begin building an ABLE program. The Maryland ABLE program is implemented by Maryland 529 and officially launched in November 2017. Maryland ABLE is pursuing a state-partnership to make available tax-advantaged savings accounts for Marylanders with disabilities, allowing individuals to save money for qualified disability expenses without jeopardizing state and federal means-tested benefits.

Maryland ABLE account features include:

- Saving up to \$100,000 in your ABLE account before impacting SSI limits for cash benefits
- Saving money in your ABLE account without jeopardizing state and federal means-tested benefits such as Medicaid, food, or housing assistance
- \$2,500 state income tax deduction per filer and up to \$5,000 for joint filers
- \$14,000 annual contribution limit
- \$350,000 lifetime contribution limit

Since the beginning of 2017, Maryland ABLE has expanded outreach to Marylanders with disabilities, family members, and agencies and organizations. Through presentations and expos, the program has connected with over 30,000 Marylanders. In addition, Maryland ABLE established an active social

media presence on Facebook & Twitter, expanded their email marketing list to over 17,000 contacts. At the end of FY20 Maryland ABLE has over 2,300 beneficiaries, over seventeen million dollars in total assets and 97% of account holders are Marylanders.

Learn more at <https://www.marylandable.org/>

The CASH Campaign of Maryland

The CASH Campaign of Maryland (*Creating Assets, Savings and Hope*) is a newly formed nonprofit organization that is the result of a recent merger between the CASH Campaigns of Baltimore and Maryland. As long time partners and allies, these programs joined forces to create one unified organization in July 2017.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability.

Learn more at <http://cashmd.org/>

Work Incentives Planning and Assistance

Background:

The [Ticket to Work and Work Incentives Improvement Act of 1999](#) authorized Social Security to award grants, contracts or cooperative agreements to provide community-based Work Incentives expertise to beneficiaries of Social Security or Supplemental Security Income (SSI) benefits based on disability. We currently have 82 cooperative agreements throughout every state, the District of Columbia, and the U.S. territories of American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands. You may find contact information for these projects on <https://choosework.ssa.gov>.

Services:

The goal of the Work Incentives Planning and Assistance (WIPA) program is to enable beneficiaries with disabilities to receive accurate information, and use that information to make a successful transition to work. Each WIPA project has Community Work Incentives Coordinators (CWIC) who will:

- provide in-depth counseling about benefits and the effect of work on those benefits;
- conduct outreach efforts to beneficiaries of SSI and SSDI (and their families) who are potentially eligible to participate in federal or state Work Incentives programs; and
- work in cooperation with federal, state and private agencies and nonprofit organizations that serve SSI and SSDI beneficiaries with disabilities.

Learn more at <https://www.ssa.gov/work/WIPA.html>

Ticket to Work

Social Security's Ticket to Work program supports career development for Social Security disability beneficiaries age 18 through 64 who want to work. The Ticket program is free and voluntary. The Ticket program helps people with disabilities progress toward financial independence.

The Ticket program is a good fit for people who want to improve their earning potential and are committed to preparing for long-term success in the workforce. Ticket to Work offers beneficiaries with disabilities access to meaningful employment with the assistance of Ticket to Work employment service providers called employment networks.

Learn more at <https://choosework.ssa.gov/index.html>

II. BEST PRACTICES AND RESOURCES– DECISION MAKING

COVID-19 RELATED



The Institute for Community Inclusion (ICI) published resources designed to guide professionals, individuals, and families through this challenging time as we develop new approaches to providing day and employment services, vocational rehabilitation, and supporting community life engagement. Areas covered include informed decision making amidst COVID, use of remote supports, virtual community life engagement and more.

The entire series of publications can be found and downloaded at

<https://covid19.communityinclusion.org/>

ASSOCIATION FOR PEOPLE SUPPORTING EMPLOYMENT FIRST COVID RESOURCE PAGE

<https://apse.org/covid-19-apse-updates/>

GRIFFIN-HAMMIS ASSOCIATES COVID RESOURCE PAGE

<https://www.griffinhammis.com/resources/covid-19-guidance/>

STATE EMPLOYMENT LEADERSHIP NETWORK (SELN) COVID RESOURCE PAGE

<http://www.selnhub.org/COVID>

Charting the LifeCourse: A Guide for Individuals, Families and Professionals

Throughout our lives, we face questions and search for answers that will help us on our journey to a full and meaningful life. This is true for everyone, especially when you or someone you care about

experiences a disability or special healthcare need. Charting the LifeCourse is a set of principles and tools to assist you in creating a vision for the future. It is designed to help you think about the questions to ask as well as the choices and options to consider as you “plot the course” to a full and meaningful life. It is intended to be a starting point no matter where you are in your life journey. We hope the life course approach helps you realize that even when your child is very young and he or she ages and grows into adulthood, their experiences and environment can shape how they will live their life in the future.



LifeCourse Tools can be found at www.lifecoursetools.com

Supporting Families

Maryland has initiated a joint effort across the state to support families through the Community of Practice for Supporting Families. The Supporting Families project recognizes families as the most important group of people in our society, serving as a source of support for all its members. For people with intellectual and developmental disabilities (I/DD) the role of the family is unique, and often key in the support and care provided across the lifespan. Family members play important roles in finding and providing opportunities for their family members to participate within their community in meaningful ways and helping them access a self-determined life. Parents and other family members of people with I/DD often provide medical, behavioral, financial and other daily supports beyond what most families provide.

The Supporting Families project guides families of individuals with I/DD across the life span, covering all of the states of life. It provides families with the opportunity to discover information and navigate the system, connect and network with others, and access day-to-day services and supports.

Maryland shares the same goals and vision of the Community of Practice for Supporting Families in that it recognizes that individuals exist within a family system and that families are the core of our society, serving as a source of support for all its members.

[More about Maryland's Supporting Families Project](#)

Tools for Supporting Families can be found at www.supportsoffamilies.org

Raising Expectations

Expectations and values about work in our society typically start when a child is young. It is common for parents, families, teachers and others to actively question children and adults about “what they want to be or do” when they grow up and to encourage exploration of any budding interests they may express. It is accepted that those interests may (and often do) change over time based on new information, changing focus or just learning more about what the child is good at.

Historically, children and young adults with disabilities have not always had access to the same experiences, expectations and vision for what is possible including work. This means encouraging exploration at all ages is important. However, depending on a person’s history, experiences and perspectives on how to approach these conversations may sound and look differently.

One way to raise expectations is to have conversations early in childhood so that youth and families can begin envisioning their own trajectory toward the good life, including community membership and employment. This vision is in stark contrast to previous generations when transition into adulthood focused on moving from school life to a more segregated program-focused life.

Below are a few places to begin when talking to a youth or adult about employment. They are not meant to be exhaustive, but instead, simply a starting point for identifying next steps and action items.

Expectations Matter Campaign

Expectations play an important role in our lives, often behind the scenes. Both anecdotal evidence and research prove that the assumptions other people have about our abilities are quite influential and have a long-lasting effect.

That's why raising expectations is a goal that runs through all of the Council's work, and that's why we've decided to create a short message that will spur all of us—family members, providers, educators, employers, everyday citizens—to stop and think twice about what we think people with disabilities can do: **#ExpectationsMatter #ExpectAbility**. For more information and resources, go to: <http://www.md-council.org/resources/expectations-matter/>.

What Matters - Publication by the Maryland Developmental Disabilities Council

What Matters tells the stories of nine people with developmental disabilities who work and have meaningful days in their communities. Their stories illustrate the success that is possible when the right planning, support, and expectations are in place. You can download all of the stories in one publication: [What Matters](#) or download the stories individually

How to approach conversations about employment:

Below are brief talking points developed by State Employment Leadership Network (SELN), in their document called [Guidance for Conversations](#). A copy of the entire document is available under resources.

The person is currently working but is not happy with their current job:

- What about your current job do you not like?
- What kinds of things would you rather be doing?
- Would you prefer working in a different type of job?
- Would you prefer working in a different environment? (e.g. inside, outside, quieter, busier, cleaner)

The person is not working, but would like to be working:

- What kind of experiences do you have?
- What kinds of things do you enjoy doing?
- What are you good at?
- What new skills might you want to, or benefit from, learning?
- Who do you and your family know in your community?
- What kinds of things do you not enjoy?

- What kinds of places do you not enjoy?

The person is not working, and isn't sure about work:

- What kind of experiences do you have?
- What kinds of things do you enjoy doing?
- What are you good at?
- What new skills might you want to, or benefit from, learning?
- Who do you and your family know in your community?
- What kinds of things do you not enjoy?
- What kinds of places do you not enjoy?
- Are there things you like to do that you don't get to do very often?
- Would you like to have more money to spend?

Resources– Decision Making

There are several resources that have been developed in Maryland related to decision making by both Maryland's state and non-state agencies.

Developmental Disabilities Administration

- Informed decision making
 - DDA has a video from New York State's Office for People with Developmental Disabilities (OPWDD) on informed decision making
 - Video: Informed Decision Making training tool
<https://dda.health.maryland.gov/Pages/employment.aspx>
- How do I Plan for Life?
 - DDA published a resource brochure for people with developmental disabilities and their families
<https://dda.health.maryland.gov/Documents/2016/Planning%20for%20Life%20-%20Updated%201-14-16.pdf>
- My Life, My Plan, My Choice
 - DDA published guide for personal centered planning
 - [https://dda.health.maryland.gov/Documents/PCP%20CCS%20Guide%20\(December%202017\).pdf](https://dda.health.maryland.gov/Documents/PCP%20CCS%20Guide%20(December%202017).pdf)

Disability Rights Maryland

- Alternatives to Guardianship: a handbook outlining guardianship and its alternatives.
 - <https://disabilityrightsmd.org/wp-content/c/2011/12/Guardianship-Handbook-2011.pdf>

Maryland Developmental Disabilities Council

- *Planning Now, A Futures and Estate Guide for Families of Children and Adults with Developmental Disabilities*
 - Planning Now is a comprehensive, easy-to-use guide written specifically for families of children and adults with developmental disabilities. Topics covered include financial and healthcare benefits, wills, trusts, tax considerations, financial planning, and others

- Electronic and print versions available for free: <http://www.md-council.org/publications/publications-reports/>
- *Developmental Disabilities Administration Informational Sheets*
 - These four informational sheets provide easy-to-understand explanations of key aspects of the Developmental Disabilities Administration’s (DDA) service system: DDA Overview, Waiting List, Coordinators of Community Services, and Person Centered Planning
 - Electronic and print versions available for free: <http://www.md-council.org/publications/publications-reports/>

Maryland State Department of Education- Division of Rehabilitation Services

- Career Counseling and information & referral services required by Section 511 of WIOA:
 - http://dors.maryland.gov/crps/Documents/14c_InformationReferralResources.pdf

III. BEST PRACTICES AND RESOURCES – ACCESSING MEDICAL OR BEHAVIOR SUPPORT NEEDS

Best Practices – Accessing Medical or Behavioral Support Needs

Developmental Disabilities Administration

DDA’s website outlays all current best practices such as positive behavioral supports. More can be found at their website

<https://dda.health.maryland.gov/Pages/Behavioral%20Support%20Services.aspx>

IV. BEST PRACTICES AND RESOURCES - ADDRESSING FAMILY MEMBERS’ CONCERNS OR OPPOSITION

Best Practices - Addressing Family Members’ Concerns or Opposition to Employment

All people exist within a family system. Families are at the core of our society, serving as a source of support for all of its members. Each person receiving DDA funded service creates a Person Centered Plan with support from their Coordinator of Community Services (CCS) and their chosen support team. The PCP process starts with the understanding that all people have the right to live, love, play, work and pursue their aspirations in the community. Person centered planning is a continual process listening and learning to create a meaningful and relevant plan. Family members should assist the person, as requested by them, to fully engage in planning through supporting a maximum understanding of options and relevant information. Family can also support people to explore new community and employment opportunities and options.

Each PCP includes a required focus area of exploration which seeks to identify barriers to employment for people of working age who are not currently working. Goals or action items to address specific barriers should be addressed in the PCP.

Various identified barriers may include access to behavioral supports, access to support, fear around loss of benefits, the person hasn’t found the right job match, the person doesn’t want to work at this time, and others. Below is a resource developed specifically for Case Managers to assist having

conversations with people and their families related to employment. These questions and the accompanying guide assist with breaking down barriers and exploring what's possible.

How to approach conversations about employment:

Below are brief talking points developed by State Employment Leadership Network (SELN), in their document called [Guidance for Conversations](#). A copy of the entire document is available under resources.

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- What about your current job do you not like?
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The person is not working, but would like to be working:

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- What are you good at?
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- Who do you and your family know in your community?
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- What kinds of places do you not enjoy?

The person is not working, and isn't sure about work:

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- What kinds of places do you not enjoy?
- Are there things you like to do that you don't get to do very often?
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Federal and State Funding Programs

Maryland actively pursues federal grants and other funding to support Employment First. DDA has added two waivers in addition to the existing waiver.

Grant awards have included receipt of a Disability Employment initiative (DEI) grant from the US Department of Labor to increase the capacity of America's Job Centers to serve individuals with significant disabilities, and MDOD continues to closely monitor federal opportunities.

The Developmental Disabilities Administration (DDA) is in the process of transformation to create a flexible, person centered, family-oriented system of supports so people can have full lives.

The DDA's community-based service delivery systems includes various home and community-based services and supports provided through either a Medicaid State Plan or Waiver program or via DDA State funded services.

The DDA's transformation focuses on five essential focus areas: self-advocacy, self-determination, support families, employment first and independent supported living. Part of this transformation is the redrafting of Community Pathways Medicaid Waiver, including new service definitions that focus on the essential areas and the addition of two new waivers: the Community Supports Waiver and the Family Supports Waiver.

Along with new waivers, the DDA is providing technical assistance and training to Coordinators of Community Services (CCSs) in Person Centered Thinking and Person Centered Planning and how to support people on their path to employment and community membership.

Earlier in 2020, the Government Accountability Office (GAO) reached out to Maryland seeking input in their study which examines factors influencing the likelihood of an individual remaining in 14(c) employment or transitioning to competitive, integrated employment (CIE). Maryland, along with four other states and various subject matter experts provided input to this report.

Grants to Expand Inclusive Higher Education Options in Maryland

Since May of 2018, \$500,000 has been allocated to the Maryland Department of Health's Developmental Disabilities Administration (DDA) for grants designed to create an inclusive higher education program for students with developmental disabilities. Two institutions of higher education have been awarded grants to develop and implement inclusive higher education opportunities.

"This grant further helps us meet our goal to enhance the lives of people with developmental disabilities—starting at a younger age—to provide much needed tools and knowledge so they can live active, full lives and to ultimately become working and living members in the communities of their choice," said Bernard Simons, Deputy Secretary for the DDA.⁴

Coppin State University

The first round of grant funding was awarded to Coppin State University (CSU), who has worked to develop and expand upon inclusive higher education options available for people with intellectual and developmental disabilities on their campus. Through Coppin's Comprehensive Transition Program (CTP), students are able to increase independence, improve social and communication skills, explore career interests, participate in college classes and develop relationships with peers.

Coppin's first cohort of 9 students started in the fall of 2018 by attending orientation and getting acclimated to campus life. In the spring 2019 semester, the students began their academic classes as well as individualized exploration and taking part in campus life. Two of the students are living on campus.

Students that are part of this initial cohort include students from Baltimore City, Howard County, Baltimore County and one student from New Jersey. Students have expressed interest in Art, Math, Technology, Child Care Services, Music, Theater and Fitness Training.

⁴<https://health.maryland.gov/newsroom/Pages/Governor-Hogan-Funds-Grant-to-Create-Inclusive-Higher-Education-Programs-for-People-with-Developmental-Disabilities.aspx>

Each student is paired up with a graduate intern who serves as a mentor to students with disabilities. The mentors assist their fellow students to navigate campus life both academically and socially. Students are supported to identify their own academic and career path, including earning a degree and support with job placement.

Harford Community College

In July 2019, Harford Community College (HCC) was awarded the second round of grant funding from DDA. HCC will be developing a College & Career Experience for Self Sufficiency (ACCESS) Program to provide inclusive higher education opportunities for adults with intellectual disabilities. The ACCESS Program will provide person-centered planning, individualized supports, and services for the academic and social inclusion of students in the program leading to certificates and employment in: customer service, applied culinary arts, hospitality, and building maintenance as well as opportunities to earn additional stackable credentials through credit and noncredit programs.

HCC's ACCESS Program will offer inclusive experiences focusing on academic enrichment and extracurricular activities, socialization, independent living skills, self-advocacy skills as well as integrated work experience and career development services. Students will have access to all College facilities and support services.

CONCLUSION

People with disabilities want jobs in their communities, with wages and benefits, and meaningful days when not working. Maryland remains committed to increasing the number of people in competitive, integrated employment and improving the services and supports that will help people achieve that goal. As the use of 14c certificates is phased out, other initiatives are supporting people with disabilities, their families, and providers to align their business models and services to support those goals.

Maryland state partners in disability employment continue to fund and prioritize capacity building initiatives so that provider organizations have the ability to help shift resources from subminimum wage work, to competitive integrated employment. The work related to Employment First in Maryland, including the capacity building initiatives outlined in this report, will continue on with support from Maryland's Employment First State Leadership Team (EFLST). The EFLST meeting bi-monthly and includes representatives from DDA, MDOD, provider agencies, coordination of community service agencies, Maryland State Department of Education, Division of Rehabilitation Services, Labor, self-direction advocacy, parent advocacy, provider advocacy, Maryland's protection and advocacy organization, and others.