



## DISABILITY RIGHTS MARYLAND 2017 GENERAL ASSEMBLY REPORT

During the 2017 General Assembly (GA) session, DRM followed about 140 bills on a wide range of topics. We focused substantial energy on a package of bills aimed at improving outcomes for young people with disabilities. We are very pleased that ALL of these bills have passed the General Assembly! Gubernatorial action is pending.

**HB 425/SB 651** strictly limits out-of-school suspensions for children in pre-K through 2<sup>nd</sup> grade, requires positive interventions and supports, and authorizes restorative practices in schools.

**HB 331/SB 786** creates a task force to review and revise state regulations governing use of seclusion and restraint in schools.

**HB 174/SB 710** requires parental consent for specific IEP team proposals (e.g., including restraint or seclusion on a student's IEP, removing a student from the diploma track), effectively shifting the due process burden of proof.

**HB 1287** establishes the Commission on the School-to-Prison Pipeline and Restorative Practices.

**HB 456/SB 943** mandates the State Department of Education to develop a dispute resolution process for families of children with disabilities and child care providers.

**HB 279/SB 272** grants continuing jurisdiction to the juvenile court in guardianship and child welfare cases involving foster youth with developmental disabilities transitioning to adult services at age 21, to ensure provision of ongoing supports.

Some additional bills that DRM supported, opposed and/or worked on are set forth below; the full bill list can be found on DRM's website: <http://DisabilityRightsMD.org/public-policy>.

**HB 127** repeals the Board of Review in the Department of Health and Mental Hygiene; DRM put forward amendments to secure due process rights for Medicaid beneficiaries. (Enacted)

**HB 448/SB344** clarifies annual contribution limits for Achieving a Better Life Experience (ABLE) accounts. (Enacted)

**HB 516/SB 581** creates a workgroup to make recommendations on the implementation of universal access to prekindergarten in Maryland. (Enacted)

**HB 978/SB871** implements accountability measures and intervention strategies, while protecting public schools from privatization, in response to the federal Every Student Succeeds Act. (Enacted)

**SB 571/HB 909** established the Maryland Health Insurance Coverage Protection Commission to monitor federal changes to the Affordable Care Act, Medicaid, Medicare, Children's Health Program (CHIP) and Maryland All-Payer Model. (Enacted)

**HB 180/SB 82** renames the "Department of Health & Mental Hygiene" the "Department of Health." (Enacted)

**HB 197/SB 485** provides grants for technology that allows children with medical conditions to participate remotely in school. (Enacted)

**HB 644/SB 180** provides a tax credit for construction of accessibility modifications. (Enacted)

**HB 1/SB 230** requires employers with 15 or more employees to offer paid sick leave. (Passed GA, Gubernatorial action pending)

**HB 269/SB 531** codifies the Housing Navigator & Aftercare Program to assist people experiencing a housing crisis to obtain and maintain permanent housing. (Passed GA, Gubernatorial action pending)

**HB 580/SB 476** “Keep the Door Open Act” & **HB 1329/SB 967** “Heroin & Opioid Prevention Effort” – the KTDO Act mandated annual rate adjustments for community mental health service providers; its provisions passed as part of the HOPE Act, a broad measure that also requires establishment of behavioral health crisis treatment centers, expansion of the statewide 24/7 crisis hotline, a plan to increase substance use treatment in jails and prisons, discharge protocols for hospitals, and more. (Passed GA, Gubernatorial action pending)

**HB 631/SB 415** prohibits price gouging by manufacturers or wholesale distributors of off-patent or generic prescription drugs.

**HB 971/SB 872** creates the James W. Hubbard Inclusive Education Grant Program (in honor of a DRM Board member) to provide higher education opportunities for students with intellectual and developmental disabilities. (Passed GA, Gubernatorial action pending)

**HB 972/SB 811** removes the sunset date on court filing fees that provide revenue to the Maryland Legal Services Corporation. (Passed GA, Gubernatorial action pending)

**HB 1291/SB 856** increases the amount of Abandoned Property Fund revenue provided to Maryland Legal Services Corporation annually from 1.5 to 2 million dollars. (Passed GA, Gubernatorial action pending)

**HB 172 /SB 728** would have prohibited housing discrimination based on source of income. (Failed)

**HB 416/SB 442** would have required the state to conserve a portion of foster youths’ financial resources for the benefit of these individuals as they reach transition age. (Failed)

**HB 666/SB 437** would have required review of prescription drug transparency, notification and pricing. (Failed)

**HB 689/SB 813** would have required certain rental assistance programs to continue to subsidies for four years. (Failed)

**HB 723/SB 694** would have repealed gubernatorial veto authority of parole board decisions regarding prisoners serving life terms. (Failed)

**HB 808/SB 660** would have enacted a Hospital Patients’ Bill of Rights. (Failed)

**HB 903/SB 705** would have authorized an award of attorney’s fees and expenses to a prevailing plaintiff in claims against a state or local government for violations of the Maryland Constitution or Declaration of Rights. (Failed)

**HB 984/SB 475** would have required specified annual appropriations to serve people with developmental disabilities on the waiting list in the “crisis resolution” category. (Failed)

**HB 1001/SB 1015** would have strictly limited use of restrictive housing in prisons and jails, creates a task force to review and make recommendations regarding such use, and mandates safeguards for when the practice is used. (Failed)

**HB 1175/SB 834** would have enacted a state court remedy to include money damages for cases of discrimination by places of public accommodation. (Failed)

**HB 1237** would have waived the costs associated with obtaining expungements under certain circumstances. (Failed)

**HB 1487** would have made several Rent Court procedural reforms. (Failed)

**HB 1613/SB 876** would have enacted the Maryland Disability Integration Act. (Failed)

**SB 532** would have established regulatory requirements for temporary family health care structures in Maryland. (Failed)

**HB 203/SB 852** would have amended the state’s accessibility code. (Failed)

**HB 370/SB 354** would have implemented physician aid in dying with minimal safeguards. (Failed)

**HB 539 & HB 532/SB 1133** would have imposed new voter ID requirements. (Failed)

**HB 650/SB 691** would have expanded beyond Constitutional permissibility the circumstances under which a criminal court could order involuntary medication for individuals found Incompetent to Stand Trial (IST) or Not Criminally Responsible (NCR) and committed to a state psychiatric facility. (Failed)

**HB 878/SB 704** would have created a statewide charter school authority to make charter schools into discrete school districts. (Failed)

**HB 1009** would have authorized the emergency petition and subsequent involuntary commitment to a psychiatric facility of an individual who experienced a drug overdose, but is not diagnosed with a mental illness. (Failed)

**SB 618** would have established a statewide “Achievement School District.” (Failed)

**SB 706** would have expedited tenant evictions under certain circumstances and shortened the period for filing an appeal of the eviction. (Failed)

**HJ 9/SJ 7** expressed disagreement with the repeal of the federal Affordable Care Act. (Passed)

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