



Maryland Works, Inc.

2008 LEGISLATIVE SESSION OUTCOMES

1. Funding the Division of Rehabilitations Services (DORS) Waiting List Initiative – ACHIEVED – Secured \$2.3 million above-the-mark funding for DORS purchase-of-service

At the urging of Maryland Works, our members and partners, Governor O'Malley included a \$2.3 million above-the-mark funding request in his FY2009 budget submitted to the State Legislature. Despite several rounds of cuts to the Governor's Budget made by the Legislature, leadership within the relevant fiscal committees supported us and ensured that this important funding was maintained.

There will be one more round of cuts made by the Administration, but all indications are that the DORS funding will be preserved. The entire \$2.3 million will be applied to purchase-of-services, enabling DORS and community service providers to serve approximately 1,600 of the individuals currently on the DORS Waiting List.

2. Legislation to Strengthen the Preferred Provider Program – ACHIEVED – Successful passage of HB805/SB368. Procurement – Preferences – Employment Works Program

Maryland Works was successful in securing passage of legislation to strengthen the Preferred Provider Program. Key elements of the legislation include elimination of outdated "sheltered workshop" language, expansion of the Pricing and Selection Committee Membership, delineation of coordinating entity duties, and re-naming the program.

This legislation ultimately passed unanimously in both the House and Senate Chambers. It now goes to the Governor for his signature. With the Governor's signature, effective July 1, the Program will now be called the "**Employment Works Program**".

3. Legislation to Expand Eligibility under the Preferred Provider Program (PPP) to Consumer Owned Businesses – ACHIEVED – Successful passage of HB881/SB612 - Procurement – Preference Procurement Program – Individual-with-Disability Owned Businesses

When Maryland Works initiated legislation to expand eligibility under the Preferred Provider Program to include “consumer-owned” businesses, we thought it would likely take a couple years to build enough support to get it passed. As it turned out, with your active support, as well as support from several of our industry and community partners, we were able to get the empowering legislation passed within one Legislative Session. And it didn’t just pass – it was passed unanimously in both the House and Senate.

Assuming the Governor’s signature, beginning this July 1, individual-with-disability owned businesses will be able to secure contracts under the PPP. All of us with Maryland Works are proud and honored that Maryland is stepping to the forefront of supporting consumer-owned businesses. As far as we know, Maryland will be the first and only state to open its Preferred Provider Program to consumer owned businesses. Congratulations to all!

Note: If you or someone you know would like to take advantage of this opportunity, by all means do not wait until July 1. It takes at least a couple of months to develop a new contract, so get to work now on contracts that will start July 1st or later.

As the 2008 Legislative Session started, a couple of additional items were added to Maryland Works’ Legislative Agenda. Following are those items and the Outcomes achieved:

4. Legislation to Extend the Tax Credit for Employment of People with Disabilities – ACHIEVED – Successful passage of HB280 - Tax Credits for Qualifying Employees with Disabilities - Sunset Extension

The Tax Credit for employers who hire individuals with disabilities was due to “sunset” (end) July 1, 2008. Maryland Works was one of only three organizations to actively advocate for the tax credit’s extension. The other two were DORS and a consortium of employers. In light of the State’s fiscal crisis, the Legislature opted to only extend the credit for one year. We will therefore have to take this issue up again in the 2009 Legislative Session if our members want the credit to continue after July 1, 2009.

5. Legislation to Extend the Tax Credit for Employment of People Receiving Temporary-Cash-Assistance from the State – ACHIEVED – Successful passage of SB314 - State Employment Opportunity Credit - Sunset Extension

This Tax Credit for employers who hire individuals who are receiving Temporary Cash Assistance from the State was also due to “sunset” (end) July 1, 2008. In this case, there were only two organizations actively advocating for the tax credit’s extension – Maryland Works and a consortium of businesses. And, as with the Disability Tax Credit, in light of the State’s fiscal crisis, the Legislature opted to only extend the credit for one year. Continuation of this credit beyond July 1, 2009 would require legislation in the 2009 Legislative Session.

6. Legislation to Require a Cost-of-Living (COLA) increase be provided to “Community Developmental Disabilities Services Providers” and “Community Mental Health Services Providers” – PARTIALLY ACHIEVED – The Legislation (HB210/SB242) Failed – However, Legislative Fiscal Leaders Strongly Supported and Secured a 3% COLA for DDA and MHA Providers in the FY2009 Budget

Legislation had been introduced to require the Health Department to provide a COLA for DDA and MHA providers as determined by the Community Services Reimbursement Rate Commission. In essence, the legislation would have removed statutory language that required a COLA “subject to the limitations of the State budget”. The lead proponents, MACS and CBH, went into the Session knowing that it would be an uphill battle in light of the severe State budget crisis. Because of the importance of this issue to our members, Maryland Works joined in the advocacy effort.

While the Legislation failed, persistent advocacy efforts led to several key legislators “taking up the torch” and urging their colleagues to find a way to fund a COLA in next year’s budget. In the end, the two Chambers (House and Senate) compromised at a 3% COLA. Because the Legislature can only add expenses to the Governor’s budget if they designate a revenue source, they elected to fund the COLA with specified lottery revenues. These revenues are not guaranteed however, so the final outcome regarding a COLA remains uncertain.

There is no doubt – this issue is not going away any time soon. On the positive however, it is clear that Legislators are keenly aware of the magnitude of need. Moreover, several key legislators are poised to take this issue up during the Interim in order to identify more far reaching remedies.

7. Legislation to Create a Task Force to Study Social Service Procurements – ACHIEVED – Successful passage of HB57/SB686 - Task Force to Study the Procurement of Health and Social Services by State Agencies

The Maryland Association of Non-Profit Organizations was the main proponent of this legislation to create a task force to study the State's practices in procurement of health and social services. Because the need arose from concerns among community service providers, many of them Maryland Works' members, we decided to actively support the Legislation.

With passage of this legislation comes the reality of implementation. While the original intent was to address non-profit agencies' concerns, Maryland Works has cautioned that this task force may be used as a vehicle to raise any number and manner of issues related to purchase of social services not originally intended by the sponsors. In light of that, Maryland Works will seek to participate in, and at a minimum actively monitor how this Task Force evolves.