

Bill No. 10-23
Concerning: Health – Intellectual and
Developmental Disabilities
Commission - Established
Revised: 03/21/23 Draft No. 4
Introduced: February 14, 2023
Enacted: March 28, 2023
Executive: April 10, 2023
Effective: July 10, 2023
Sunset Date: None
Ch. 13, Laws of Mont. Co. 2023

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Albornoz

Co-Sponsors: Councilmembers Luedtke, Mink, Council Vice-President Friedson, Councilmembers Katz, Jawando, Sayles, Fani-González, Stewart, Council President Glass, and Councilmember Balcombe

AN ACT to:

- (1) establish an Intellectual and Developmental Disabilities Commission;
- (2) prescribe the membership and duties of the Commission;
- (3) provide for the staffing of the Commission; and
- (4) generally amend the law regarding the provision and coordination of services for individuals with intellectual and developmental disabilities in the County.

By adding

Montgomery County Code
Chapter 24. Health and Sanitation
Article X, Intellectual and Developmental Disabilities Commission
Sections 24-71, 24-72, 24-73, 24-74, 24-75, and 24-76

The County Council for Montgomery County, Maryland approves the following Act:

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

1 **Sec. 1. Sections 24-71, 24-72, 24-73, 24-74, 24-75, 24-76 are added as**
2 **follows:**

3 **ARTICLE X. INTELLECTUAL AND DEVELOPMENTAL DISABILITIES**
4 **COMMISSION.**

5 **24-71. Definitions and Policy Statement.**

6 (a) Definitions. The following terms have the meanings indicated.

7 Commission means the Intellectual and Developmental Disabilities
8 Commission established under this Article.

9 Intellectual and developmental disabilities or IDD means a severe,
10 chronic disability of an individual that:

11 (1) is attributable to a mental or physical impairment or combination
12 of mental and physical impairments;

13 (2) is manifested before the individual attains age 22;

14 (3) is likely to continue indefinitely;

15 (4) reflects the individual’s need for a combination and sequence of
16 special, interdisciplinary, or generic services, individualized
17 supports, or other forms of assistance that are of lifelong or
18 extended duration and are individually planned and coordinated;
19 and

20 (5) results in the substantial functional limitations in 3 or more of the
21 following areas of major life activity:

22 (A) self-care;

23 (B) receptive and expressive language;

24 (C) learning;

25 (D) mobility;

26 (E) self-direction;

27 (F) capacity for independent living;

- 28 (G) self-direction; and
- 29 (H) economic self-sufficiency.

30 (b) Policy statement.

31 (1) Montgomery County is committed to creating an inclusive
32 community for people with IDD so that they are afforded every
33 opportunity to live a life of their choosing with the supports
34 needed to participate fully in the life of the County.

35 (2) It is the public policy of the County to:

36 (A) promote and initiate ongoing community input to support
37 the needs of individuals with intellectual and
38 developmental disabilities;

39 (B) improve communication about programs and services
40 among those with IDD and their families, advocates,
41 support staff, public and private agencies, and the general
42 public;

43 (C) identify service needs and inform decisions on services for
44 individuals with intellectual and developmental
45 disabilities; and

46 (D) work towards improving accessibility to services for
47 individuals with intellectual and developmental
48 disabilities.

49 **24-72. Commission Established.**

50 There is an Intellectual and Developmental Disabilities Commission.

51 **24-73. Membership; appointment; terms.**

52 (a) The Commission consists of 19 voting members and 6 non-voting
53 members.

- 54 **(b)** The voting members are appointed by the County Executive, subject to
 55 Council confirmation, and must include:
 56 (1) 2 individuals with IDD;
 57 (2) 9 family members, guardians, or support staff of individuals with
 58 IDD;
 59 (3) 7 individuals representing service providers or advocacy
 60 organizations that [[supports]] support individuals with IDD; and
 61 (4) 1 member of the Commission on People with Disabilities.
 62 **(c)** The non-voting members are designees of the following agencies:
 63 (1) Department of Health and Human Services;
 64 (2) Department of Recreation;
 65 (3) Montgomery County Public Schools;
 66 (4) Montgomery College;
 67 (5) WorkSource Montgomery; and
 68 (6) Maryland Developmental Disabilities Administration.

69 **24-74. Duties.**

70 The Commission must:

- 71 **(a)** promote direct communication among families, support staff, private
 72 and public organizations, and the general public regarding programs and
 73 services for individuals with intellectual and developmental disabilities;
 74 **(b)** institute and conduct educational and other programs, meetings, and
 75 conferences to promote the welfare of individuals with intellectual and
 76 developmental disabilities;
 77 **(c)** cooperate with public and private agencies, departments, and
 78 organizations that provide services and programs for individuals with
 79 intellectual and developmental disabilities;

- 80 (d) advise the County Council and the County Executive on matters
 81 involving the needs of individuals with intellectual and developmental
 82 disabilities;
- 83 (e) review and report on current gaps in services, including issues of
 84 childcare, education, discrimination, transition to adult services,
 85 resource coordination, housing, transportation, employment, health care,
 86 recreation, and recruitment of providers and direct support staff;
- 87 (f) prepare recommendations on best practices, innovations in service
 88 areas, and information on costs associated with recommended programs
 89 and services for individuals with IDD; [[and]]
- 90 (g) work with key organizations at the county and state level to best
 91 advance the needs of [[county]] County residents with IDD; and
- 92 (h) advocate at the local, state, and federal levels to advance the needs of
 93 individuals with IDD.

94 **24-75. Meetings; officers; compensation; reports.**

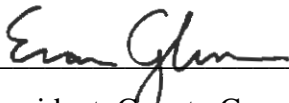
- 95 (a) Meetings. The Commission must meet at the call of the Commission
 96 Chair and at least 6 times annually.
- 97 (b) Quorum. A majority of the voting members of the Commission
 98 constitutes a quorum for the transaction of business.
- 99 (c) Officers. The Commission must elect from among its voting members a
 100 Chair, Vice-Chair, Secretary, and other officers it deems appropriate.
- 101 (d) Compensation. A member must serve without compensation, but the
 102 member may request reimbursement for mileage and dependent care
 103 costs at rates established by the County.
- 104 (e) Annual report. The Commission must submit annually a report to the
 105 County Executive and County Council summarizing its activities,

106 needs, recommendations and the degree to which the goals of the
107 Commission are being met.

108 **24-76. Staff support.**

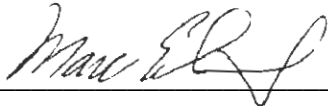
109 The Department of Health and Human Services must provide the staff support,
110 including administrative and programmatic support, necessary for the
111 Commission to perform its duties.

Approved:



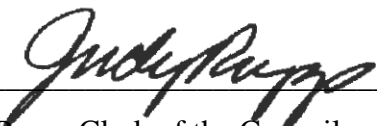
Evan Glass, President, County Council
3/29/2023
Date

Approved:



Marc Elrich, County Executive
4/10/2023
Date

This is a correct copy of Council action.



Judy Rupp, Clerk of the Council
4/10/2023
Date