

**Task Force to Study Temporary Disability Insurance Programs and the Process For
Assisting Individuals with Disability at Local Departments of Social Services**

**Meeting Minutes
October 21, 2013**

Call to Order: The second meeting of the Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disability at Local Department of Social Services was held in the House Economic Matters Committee Room of the House Office Building in Annapolis, Maryland on October 21, 2013. Delegate Sally Jameson, Task Force Co-Chair, called the meeting to order at 10:06 a.m.

Members in Attendance:

Senator Katherine Klausmeier, Delegate Sally Jameson, Delegate Aisha Braveboy, Elaine Zammet, Bunny Ehling, Cindy Carter, Mary Ahearn, Rudy Rose, Jacqueline Richardson, Debbie Ruppert, Denice Whalen-White, David Prater, Khadeja Ross, Tracy Orwig, Therese Goldsmith, Delania Ware, Andre Powell, Jeremy Riga, Gary Norman, Michele Smith.

Task Force Staff in Attendance:

Allyson Black, Nancy Egan, Tinna Quigley, Marilyn Lorenzo

Others in Attendance:

Laura Atas, Kaitlyn Shulman, and Andrea Shuck

Welcome and Introductions: Senator Klausmeier welcomed the Task Force members and thanked them for their participation. The Senator introduced her aide, Eric Bachus, who will be attending meetings in her place when she is unable to make it. Leah Walters, American Council for Life Insurers (ACLI), was introduced as a new member to the Task Force.

Review of October 7, 2013 Meeting Minutes: The October 7, 2013 draft meeting minutes were reviewed by the membership. One member expressed that he had requested at the last meeting that DHR provide a copy of their “reasonable accommodations policy” and has not yet received it. Marilyn Lorenzo, DHR staff stated she will send him a copy of the training policy which contains this information. A member also questioned DHR’s web-site availability for the disabled. Marilyn stated she will have someone from DHR call him and discuss this issue.

Additionally, a member noted that under the new health care program, single adults without children may qualify for Medicaid depending on income. If income is too high then those persons may qualify for health insurance through the Maryland Health Care Exchange. If they have insurance through the Health Exchange, they must pay the premium but there are subsidies based on income levels available. People who are uninsured will be required to obtain insurance or otherwise pay a penalty. It was agreed that this notation would be corrected in the October 7, 2013 meeting minutes, and the Task Force approved the October 7 meeting minutes with these changes.

Presentation by Cancer Support Foundation, Inc., Cindy Carter, Executive Director: Cindy Carter provided a slide presentation intended to start the process of developing solutions. The presentation detailed what services are currently available when a cancer patient loses his or her job but the presentation would be applicable for those that are disabled or ill. The presentation was divided into what services are not working from the cancer patient perspective and suggested changes. The presentation reviewed the services or benefits available for loss of job; existing help; food stamps/meals/foods; medical assistance; temporary cash assistance; energy assistance; eviction prevention; transportation; child vouchers; and homelessness. One suggested change is for Maryland to provide Temporary Disability Insurance for patients who are out of work from six months to a year.

Currently, there is a six month renewal date to apply for medical assistance, and one suggestion to improve the process is to have a yearly renewal system. The waiting time for initial approval runs around four months. Additionally, many of the patients do not have dental coverage, and some doctors will not begin treatment until dental work is done. One suggestion for improving Medical Assistance would be to allow the length of time on assistance to be tied to a patient's diagnosis. Ms. Carter raised similar concerns regarding Temporary Cash Assistance process, as well as the limited funding available from cancer treatment centers, and the lack of funding available from private cancer foundations who choose to use resources on research. Additionally, the presentation expressed that a problem with the Energy Assistance Program is that a patient has to receive a turn-off notice before they can apply for assistance. Homelessness is compounded for cancer patients as 99.9% of shelters will not take them in. The presentation also discussed Eviction Prevention, Transportation and Child Vouchers. To review the full presentation, please refer to the attached document, *Issues Facing Disabled or Ill Individuals in Maryland*.

Discussion: In response to the issues raised, one member mentioned the Red Devil organization is specific to helping breast cancer patients; however, its funding is limited. Another member stated that there is a perception that there is a lot of funding out there in the non-profit community, but it is very limited. State funds are currently limited in how they are appropriated as well. Also, in response to issues raised in the presentation, a task force member expressed that the application process in certain jurisdictions work well - telephone interviews are conducted every day, and emergency food stamps are issued within seven days, provided that the individual meets the criteria. Federal and state laws also impact the timeliness of the application process. It was agreed that there will be different experiences in varying counties, and there is no one size fits all approach. However, the Task Force will study to see if there are suggestions that can be easily and feasibly enacted without legislation. It was noted that Secretary Dallas, DHR, started the program "No Wrong Door" which operates on the premise that there should be multiple locations and opportunities for an individual to seek and apply for services. The Hamden Family Center in Baltimore is an example of a non-DSS location that provides services.

Presentation by Department of Labor, Licensing and Regulation (DLLR), Susan Bass, Director of Policy and Planning, Division of Unemployment Insurance: Unemployment Insurance (UI) is 100 % federally funded. Maryland stays in conformity with the federal laws governing the UI Program to avoid any penalties resulting from lack of conformity. UI funds are used solely for the purposes of the UI program. To receive UI a person has to be able and

available to work. A question was raised about the application for UI benefits when one is disabled and it was stated that the law states UI benefits cannot be denied to a person if they can work successfully from their home etc. The application states: "Are you able and available for work" with a yes or no answer. The law does provide a provision that if you quit work because you are a caretaker of an ill person, you can apply for benefits as long as you are available for work.

Temporary Disability Insurance (TDI) programs are currently offered in five states: California, Hawaii, New Jersey, New York, and Rhode Island. Puerto Rico also has a TDI program. These six programs provide workers with partial compensation for loss of wages caused by short-term, non-occupational disability. These individuals are not eligible to receive any UI benefits because they are not able or available for work. A detailed explanation is provided in Attachment 2 as part of the meeting minutes.

States that have such programs vary in charges but in all the states employees may be required to contribute to the cost of TDI. In New Jersey, Hawaii, New York and Puerto Rico, employers are also required to contribute. Some states have a cap on what an employee should pay. The Hawaii program allows employers to purchase a plan from an authorized carrier, or by self-insuring through an approved sick leave program. The state of Hawaii does not pay the benefits. Others states permit employers to purchase private plans sold for Temporary Disability Insurance but any costs that exceed those through the state plan must be picked up by the employer. The coverage is either placed through the state operated plan or through private placement In Rhode Island, employees contribute 100% of the TDI benefits.

Discussion: A member questioned what the cost would be for Maryland to implement a TDI Program. In order to determine the cost of such a plan in Maryland, one would need to determine the number of Marylanders who are currently disabled on a short term basis and unable to return to work. Ms. Lorenzo advised she had provided social security information in her handout at the first meeting. DLLR advised it would be hard from them to narrow this number down but they will check on it.

Future Meeting Discussions: The Peoples Council will provide a presentation and MIA will discuss TDP from a private sector standpoint.

Adjournment: The meeting was adjourned at 12:00 noon. The next meeting is scheduled for November 6, 2013 at 12:00 noon.