

**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, 7, 2013**

**Call to Order:** The first 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 7, 2013. Delegate Sally Jameson, Task Force Co-Chair, called the meeting to order at 1:05 p.m.

**Members in Attendance:**

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 via phone.

**Task Force Staff in Attendance:**

Allyson Black, Tene Paul-McClelland, Nancy Egan, Tinna Quigley, Marilyn Lorenzo

**Others in Attendance:**

Laura Atas, Kaitlyn Shulman, Andrea Shuck, Kimberly Robinson, Ashlie Bagwell

**Welcome and Introductions:** Delegate Jameson welcomed the Task Force members and thanked them for their participation. Each member was asked to introduce themselves.

**Meeting Schedule and Ethics Submission:** The membership was polled about any objections to the meeting schedule that had been distributed prior to the meeting. No objections were noted. Delegate Jameson reminded the Task Force that there were three vacancies waiting to be filled; a member representing the insurance industry, a member representing the temporary disability insurance industry, and a member representing the business community. Delegate Jameson asked the Task Force members if each member had submitted the ethics forms required by the Maryland State Ethics Commission. All members had submitted the required ethics form.

**Review of Task Force Charges:** Delegate Jameson reviewed the charges of the Task Force as stated in Chapter 394 (Acts of 2013).

**Presentation by Cancer Support Foundation, Inc., Cindy Carter, Executive Director:**

Cindy Carter provided an overview of the Cancer Support Foundation, Inc.'s ("Foundation") program. The Foundation was started in 2005 and has helped over 6,000 cancer patients. Currently, Maryland is ranked 7th in the U.S. for occurrences of breast cancer. Cancer treatment is usually a 6 to 12 month process. Patients may need to take off work several times after the initial onset because of the effects of their treatment. Chemotherapy, one of the possible treatments for breast cancer, is usually provided in eight rounds every three weeks. Many times, the patient exhausts all of their vacation, sick leave, and personal time benefits. According to the

Foundation, most employers do not offer temporary and total disability insurance to their employees.

Patients undergoing treatment face challenges in supplementing their income during treatment. The Family and Medical Leave Act (“FMLA”) may not cover all employment positions. Many patients are fired prior to receiving temporary disability benefits offered through their employer. Most patients are not eligible for social security disability benefits unless the cancer has metastasized. Even if they are eligible there is a five month waiting period. If a patient becomes unemployed, they are not eligible to receive unemployment benefits unless they can demonstrate they are ready and available for work. Most patients receiving chemotherapy are unable to meet this qualification due to their treatment schedules and illness. Many times, patients exhaust all avenues of income streams.

Because a temporary disability insurance program is not available, the Foundation refers cancer patients to the local Department of Social Services (“LDSS”) for benefits such as energy assistance, cash assistance, and food stamps. According to the Foundation, when patients submit their documentation by mail or by fax to these local departments, the information is often lost. The Foundation recommends that the patients go to the LDSS in person to obtain a receipt for all documents submitted. Phone interviews are difficult to obtain. A drug interview is required in order to obtain benefits but it can be waived by providing a doctor’s note. Many times cancer patients are too ill to continue to follow up with social services. They may have a long determination period before receiving medical assistance, and in the meantime they receive no treatment. Other cancer foundations are focused on cancer research and not on providing benefits to the cancer patient during treatment.

**Presentation by Department of Human Resources (“DHR”) Marilyn Lorenzo, Manager, Family Investment Administration (“FIA”):** Marilyn Lorenzo provided an overview of other possible services available through DHR. One program available is the welfare waiver grant. The grant is available for those who only need help for a short term period of 6-12 months. Patients receive the grant in a lump sum that covers up to 12 months of assistance. The grant amount is based on the number of people in the household. The patient must first apply for temporary cash assistance (“TCA”) before being referred for this grant. One of the DDS Task Force members noted that there are circumstances when the DSS may refer the patient for the grant without applying for assistance.

Medical Assistance (“MA”) is a group of programs that are administered by the Department of Health and Mental Hygiene, but provided through local DSS offices and local health departments. There are specific programs such as Families with Children (“FAC”), Aged, Blind and Disabled (“ABD”), Maryland Children’s Health Plan (“MCHP”) and numerous waiver programs such as programs that address specific illnesses and disabilities such as the Kidney Disease Program and the Diabetes Program. MA covers the cost of medical care for eligible people. What is specifically covered can vary by MA program coverage group. Effective January 1, 2014 with the implementation of health care reform, some requirements for MA programs will change. MA is limited in scope; however, 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 may pay for coverage but may be able to get help with premium and copays. People who are uninsured will be required to obtain insurance or otherwise pay a penalty

DHR's Temporary Disability Assistance Program ("TDAP") is for patients with an illness/infirmity for 3-11 months (short term) or have a condition that will lead to the individual's death (long term). There are 22,000 patients in Maryland. This program provides assistance to individuals without children who are not receiving any other federal benefit and whose disability prevents them from working. This is a State funded program.

There are several ways to file applications for benefits: 1) in person in the DSS office; 2) by mail; 3) online through the Services Access and Information Link, the SAIL system; or 4) by authorizing someone to file the application in person. Once the application is filed, every program requires an interview. Preliminary interviews take 45 minutes. Interviews are encouraged to be done by phone to reduce wait time at the local office. The more people are in the office on a given day, the longer the wait time will be. One member advocate of the Task Force stated that when a phone interview is scheduled by DDS it can conflict with the medical treatments and are difficult to reschedule. The system only really works for healthy people. Additionally, according to federal regulations, applicants for TCA who are families with children under 18 years of age are required to be interviewed regarding child support and have substance treatment screenings. The applicant must see the case worker, a child support specialist, and a substance abuse screener. This all adds to the number of persons the customer must interact with and the length of time of the process.

**Discussion:** In response to the issues raised, one member stated that at the Prince George's County DSS office there is a shortened queue for disabled people (they do not wait longer than 20 minutes) and all documents are scanned to prevent lost documents. Montgomery County was the last county to implement the SCAN system which decreased the number of lost documents, and allows the local DSS offices around the state to see the documents in the system. It has been live since October 2012. One suggestion was that there should be two lines, one to drop off documents and the other to speak to a representative. This is currently being done at the Social Security Administration. One question raised was whether there is staff education at DSS to ensure customers are receiving full screening or are staff members not well-informed enough to ask the right questions to properly refer customers. Additionally, a request was made by a member to receive a copy of DHR's "reasonable accommodations" policy, if available.

**Future Meeting Discussions:** One member suggested that Task Force members should think about all the issues that are raised and then determine what resources are available and the gaps proponents would like addressed. For the next meeting some suggested topics were what other states who have implemented temporary disability insurance programs are doing and a presentation on unemployment insurance program.

**Adjournment:** The meeting was adjourned at 3:00 p.m. The next meeting is scheduled for October 21, 2013 at 10:00 a.m.