

**MARYLAND DEPARTMENT OF DISABILITIES
AGENCY RESPONSE
FISCAL YEAR 2020 CAPITAL BUDGET HEARINGS**

**CAPITAL BUDGET SUB-COMMITTEE
SENATE BUDGET & TAXATION COMMITTEE
Senator Douglas J.J. Peters, Chair
Senator Craig J. Zucker, Vice Chair
March 5, 2018**

**CAPITAL BUDGET SUB-COMMITTEE
HOUSE APPROPRIATIONS COMMITTEE
Delegate Adrienne A. Jones, Chair
Delegate Ben Barnes, Vice Chair
March 6, 2018**

Thank you for the opportunity to appear before the Committee today as you review the proposed capital budget for the Maryland Department of Disabilities (MDOD) for FY 2020. We would like to thank our assigned DLS analyst, Ms. Anne Wagner, for her thorough analysis and are pleased with the recommendation to concur with the Governor's allowance.

Recommended Actions

1. Concur with the Governor's Allowance.

We respectfully support this recommended action.

Discussion

1. MDOD should discuss any efforts that it has taken to monitor formal and informal complaints about facility accessibility to prioritize Access Maryland programs.

MDOD does not receive complaints about facility accessibility outside of the Access Maryland program application process. Monitoring and/or handling complaints, depending on the type, falls under the jurisdiction of the Office of Administrative Hearings and the federal judicial system and is outside of both the scope and capacity of the Access Maryland program. The program application includes a question that asks the applicant to list any complaints that have been issued related to the proposed project. Many applications list a complaint and that is considered alongside other factors by the reviewers when they make their final recommendations.

Seven projects recommended for funding in FY20 listed the existence of either a formal or informal complaint. Other considerations prevent the Access Maryland program from prioritizing projects based solely on the existence of a complaint as was the case with the two separate projects in the FY19 and FY20 grant cycles that did not receive funding. The FY19 project was one of several submitted by the applicant, however, it was not listed as their top priority. That project has since been re-submitted for the FY21 grant cycle. In the case of the FY20 project, the request, if awarded, would have exhausted nearly all of the program's available funding for that grant cycle.

2. MDOD should: A) Discuss whether it plans to set minimum matching fund requirements for higher education institutions in future grant cycles, and B) Explain how it will ensure that higher education institutions will provide the difference between Access Maryland funds and the total projected spending for projects in fiscal 2020.

A. MDOD established a 30% minimum matching fund requirement of all higher education institutions beginning with the FY21 grant cycle. The minimum threshold was selected because it represents a meaningful matching investment without acting as an unintentional disincentive for submitting an application.

B. Awards will be based on the total project amount listed in the application less the required match. If the applicant fails to contribute the matching funds, the project will not be completed. The more likely scenario is that the project costs more than was estimated at time of application and the applicant will be required to allocate funds above and beyond the initial 30% minimum match. At project close-out for fiscal 2020 projects and beyond, MDOD will review agency final expenses to confirm the amount of matching funds provided by the higher education institution.