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This week is cross-over, meaning that legislators are spending more time in committees voting bills and on the floor debating bills. Any bills that do not cross-over by March 22nd are unlikely to pass this Session. The one caveat for this rule is the bills affecting essential workers. These bills have the support of leadership and will continue to be discussed following cross-over. Actions that occurred this week –

Budget: The House has passed the budget and the Senate is debating it on the floor this week. The federal American Rescue Plan Act of 2021 contained language regarding providing funding to home- and community based services. The Senate has included language to ensure the uses for this funding. The language is below and will require that 75% of the federal fund will be used for a one-time rate increase (includes those home- and community based providers that receives the minimum wage rate adjustment). The remaining 25% will be used for strengthening or expanding services, such as additional slots in the programs. LifeSpan is currently working with analysts to determine the percentage amount of the increase. The language still needs to be concurred with by the Senate. NOTE: Discussions regarding additional funding for providers continue.

Further provided that at least 75% of federal funds attained by Medicaid resulting from any enhancement to the FMAP for home and community-based services authorized in the American Rescue Plan Act of 2021 may be expended only on a one-time rate increase paid to Medicaid home- and community-based community providers reimbursed under programs M00Q01.03 and M00Q01.07 and eligible for mandatory rate increases under Chapters 10 and 11 of 2019. Remaining federal funds attained from any enhancement to the federal FMAP for home and community-based services may be expended only on waiver slot expansion and other efforts to ensure the enhancement, strengthening, and expansion of Medicaid home and community-based services reimbursed under programs M00Q01.03 and M00Q01.07.

Discussions continue in the House Economic Matters Committee on ***House Bill 581: Essential Workers Protection Act***, which includes protections for essential workers (hazard pay; additional leave; coverage of health care costs). So far, very little has been decided. However, it is clear that hazard pay is being removed. The subcommittee has appeared to determine that the “emergency” should be limited to a catastrophic health emergency and that the definition of “essential worker” and “essential employer” should be designated by the Governor. One sticking point appears to be the “return to leave work,” with the issue being balancing worker safety with patient safety. Additional meetings will take place this week.

Similarly, ***Senate Bill 727/House Bill 1326: Maryland Healthy Working Families Act - Revisions and Public Health Emergency Leave*** does not appear to be moving. However, the Vice-Chair of ECM Committee and sponsor of the bill has indicated that she is drafting an amendment to add provisions from HB1326 to House Bill 581.

Senate Bill 728: Injury and Illness Prevention Program remains in both committees.

The **workers' compensation bills** that create a presumption for COVID-19 have not moved in Senate Finance but is scheduled for a workgroup meeting in the House committee this week.

Several bills regarding unemployment insurance have passed both committees. These include: **SB816/House Bill 908**, which requires the Secretary of Labor to offer payment plans in years in which Table F is applicable; **SB817/House Bill 907**, which requires the Secretary of Labor to study and make recommendations regarding reforms to the unemployment insurance system in Maryland; and **SB818/House Bill 1138**, which requires the Secretary of Labor to post reports on the administration and operation of the State's UI program during the immediately preceding month, to monitor UITF for a disaster and initiate a disaster plan and submit a disaster report to the Presiding Officers, the Senate Finance Committee, and the House Economic Matters Committee within 7 days after the disaster determination and every 30 days thereafter while the disaster is ongoing.

LifeSpan thanks our legislative sponsors for their support and dedication to the senior care industry and LifeSpan members.



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