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## UPDATES FOR THE WEEK ENDING FEBRUARY 14, 2020

This week was a bit topsy-turvy. **House Bill 707/Senate Bill 480: State Board of Examiners of Nursing Home Administrators – Renaming and Licensure of Assisted Living Managers**, which would have required ALL assisted living managers to be licensed by the State Board of Examiners of Nursing Home Administrators, was scheduled for a hearing before the House Health and Government Operations Committee. LifeSpan took a strong oppose position to this bill. Following several meetings with committee leadership and an aggressive grassroots campaign by the membership to committee members, the sponsor withdrew the bill. However, it was then announced that the Senate was continuing to hold its hearing on February 28<sup>th</sup>. LifeSpan continued its grassroots campaign and the bill was ultimately withdrawn in the Senate. GREAT JOB!

However, there is still one additional bill that LifeSpan is opposing - **Senate Bill 969/House Bill 1063: Health Care Facilities – Assisted Living Programs – Regulations, Staffing and Training**, which would have an equally devastating effect on the industry. Both the House and Senate bills are scheduled for March 5<sup>th</sup>. LifeSpan will be putting out an additional alert on these bills.

The House Health and Government Operations Committee also heard **House Bill 631/Senate Bill 444: State Board of Examiners of Nursing Home Administrators – Board Membership and Provisional Licensing Requirements**, which would alter the Board selection process for membership but, more importantly, allow the Board to limit the time frame for a provisional licensed to less than 90 days. LifeSpan testified in opposition to this reduction and requested that it remain the same given workforce issues and the time it takes to hire a licensed nursing home administrator. The Senate will hear this bill on February 28<sup>th</sup>.

The Senate Education, Health and Environmental Affairs **Senate Bill 576/House Bill 691: Health Occupations – Nurse Practitioners – Certifications of Competency and Incapacity**, which would allow a nurse practitioner to be one of the health care practitioners capable of authorizing competency under guardian of the disabled person and treatment. The sponsor offered amendments at the hearing to clarify that one of the signers still had to be a physician. With that amendment, the only organization that opposed the bill was the Disability Law Center that argued that the appointment of a guardian of the disabled person is far-reaching and questioned the ability of adding a nurse practitioner. The Committee seemed very supportive of the inclusion of a nurse practitioner.

The Senate Finance Committee also heard **Senate Bill 260: Labor and Employment – Leave With Pay – Bereavement Leave (Family Bereavement Act)**, which adds bereavement as a

reason for leave for immediate family but does add the death of a pet as an acceptable reason. LifeSpan opposed the inclusion of the pet. The Federation of Small Businesses opposed as well as several businesses on the basis that the bill was overbroad and the concern that it could be abused. The Committee raised concerns over the lack of limitations in the bill and the continue “add-on” of requirements for the business community. There was talk regarding whether if existing leave could be used, such as PTO.

On the budget, the Medicaid budget hearing in the House is February 20<sup>th</sup> and in the Senate on February 24<sup>th</sup>. The Budget Reconciliation and Financing Act is scheduled for February 26<sup>th</sup> in the Senate. All three relate to the need to reject the 2% reduction in the Medicaid rates and have the full 4% restored to the rates. In discussions with House and Senate leadership, from the first day of Session, they indicated that this was a priority for the General Assembly.

Attached is the bill chart and below are corresponding summaries.

### **ON BILL CHART:**

**House Bill 1256: Nursing Home Administrators – License Requirements.** This bill alters the nursing home administrator applicant requirements by saying that an applicant whose experience is through the AIT program only has to have an AIT program that is 320 hours (8 weeks) long of full-time or part-time training within one year **or** can have one year as a hospital administrator. The bill also requires (not authorizes) the BENHA to waive any education requirements for an individual who has been licensed in good standing for one year in another state and requires the Board to waive any examination requirement for someone who has practiced for five years in another state.

<http://mgaleg.maryland.gov/2020RS/bills/hb/hb1256F.pdf>

**House Bill 1282: Criminal Procedure – Vulnerable Adult Abuse Registry.** This bill the MDH shall establish and maintain a registry containing the names of individuals who have been found by a state agency to have abused, neglected, or misappropriated or exploited the property of a vulnerable adult or who have been convicted of a vulnerable adult abuse crime. The names and information contained in the registry shall be available for public inspection as provided in this subtitle. The MDH may discharge its responsibilities under this subtitle directly, or through interagency agreement, if authorized access to the records by means of a single centralized agency is assured.

**House Bill 1527/Senate Bill 833: Adult Protective Services – Vulnerable Adults Registry – Investigations and Records of Abuse and Neglect and Workgroup Study.** This bill also provides the requirements on State agencies for investigations and records of abuse and neglect. It also establishes a workgroup to further study the issue.