



Prepared by Danna Kauffman
Schwartz, Metz and Wise, PA
410-294-7759
dkauffman@smwpa.com

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This week, the House Health and Government Operations Committee heard **HB276** and the Senate Finance Committee heard **SB47**, both bills alter visitation requirements and were introduced because of the limitations imposed during the pandemic. LifeSpan testified in opposition and explained that, while we shared the frustration of many, the Governor’s executive authority would supersede any requirement allowing an “essential caregiver.” Pre-pandemic changes are not necessary to the visitation laws given that visitation can seldom be restricted. The House Ways & Means Committee also heard the **Governor’s Relief Act**, which provides additional pandemic relief to individuals and businesses. The Senate has already voted on the measure and included an additional \$500 million in relief to certain businesses and industries. The House is considering several other options separate from the Senate for providing additional relief. It is anticipated that the House will move on the bill this week. The House Ways & Means Committee will hold a hearing on the bill on Thursday, February 4th.

House Bill 25/Senate Bill 311: Catastrophic Health Emergencies – Health Care Providers – Definition and Immunity (Maryland Health Care Heroes Protection Act) was heard in both chambers this week. These bills would clarify existing liability protections that are triggered during public health emergencies for health care professionals. The plaintiff’s bar came out strongly in opposition to the bill, arguing it amounts to a “get out of jail free card” for providers. In fact, the legislation still allows suits to proceed where good faith was not exercised by the provider. This bill shapes up to be another classic health care provider vs. trial lawyer battle. One important note, MaCCRA (Maryland Association of Continuing Care Residents) opposed the bill.

House Bill 581: Labor and Employment – Employment Standards During an Emergency (Maryland Essential Workers’ Protection Act) was heard on Friday in the House Economic Matters Committee. This legislation requires employers to develop plans to protect essential workers during emergencies, to pay no less than \$3 extra per hour to such employees, and cover insurance co-payments and so forth. The bill was opposed by LifeSpan and almost all the business community. The Senate Finance Committee is scheduled to hear the bill on February 11th. It is anticipated that a workgroup will be formed on this legislation.

Bills for this week’s discussion:

House Bill 765: Workers’ Compensation – Occupational Disease Presumptions – Novel Coronavirus (Essential Workers’ Compensation Act).

This bill states that if a worker in a health care facility that treats or diagnosis individuals who are COVID-19 positive and contracts COVID-19 then it can be presumed that they got it from work. The presumption may be rebutted only if the employer or insurer shows the employment was not a direct cause of the disease.

House Bill 836: COVID–19 Testing, Contact Tracing, and Vaccination Act of 2021.

This bill requires the Maryland Department of Health, in collaboration with local health departments, to adopt and implement a 2–year plan to respond to the outbreak of COVID –19. The plan must include testing, contract tracing provisions and vaccinations. The plan must include for the establishment of a Maryland Public Health Job Corps.

House Bill 895: Election Law - Polling Places at Continuing Care Retirement Communities.

This bill is a reintroduction from 2019 and 2020. The bill requires a local board of elections to establish a separate precinct in a continuing care retirement community specifically to serve at least the residents of the retirement community if the continuing care retirement community requests that a polling place be established on the community premises.

House Bill 908: Unemployment Insurance - Employer Contributions - Payment Plans.

This bill requires the Secretary of Labor to, for any calendar year in which Table F is applicable offer a variety of payment plan options that spread through the end of August the dates when contributions are due on taxable wages for covered employment of the first 6 months of the calendar year and offer a variety of additional payment plan options that mutually serve the interest of the Division and individual employing unit and, for plans offered in a calendar year in which Table F, provide more flexibility for an employing unit than the plans offered.

House Bill 923: Labor and Employment - Worker Safety and Health - Injury and Illness Prevention Program.

This bill states that each employer must establish, implement, and maintain an Injury and Illness Prevention Program. each employer with 10 or more employees, or whose rate of work–related injury and illness exceeds the average incidence rate of all industries in the state as determined by the commissioner, must develop, and implement a Health and Safety Committee to promote health and safety in the workplace. An employer with 10 or more employees shall establish the program in consultation with the Committee.

House Bill 962: Washington County - Nursing Homes and Assisted Living Programs - Essential Caregivers.

This bill is another bill that requires a nursing home or assisted living program to allow for the designation of essential caregiver but only in Washington County.

House Bill 1033/Senate Bill 707: Office of Health Care Quality - Influenza Virus Immunization Education and Information - Assisted Living Facilities.

This bill states that OHCQ must monitor the compliance of each assisted living facility with making available to all residents and employees of the related institution educational and informational materials relating to immunization against influenza virus and immunization against pneumococcal disease during the annual inspection of the facility.

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



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