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UPDATES FOR THE WEEK ENDING JANUARY 17, 2020

MARK YOUR CALENDAR: Legislative Day – February 4, 2020; 3:30 PM – 8:00 PM.

This week marked the first full week of Session. As previously reported this week, the major event this week was the release of the Governor's FY2021 budget. As feared, the Governor failed to honor the mandatory Medicaid appropriation of 4%, which was tied last Session to the increase in minimum wage. The Governor introduced **House Bill 152/Senate Bill 192: Budget Reconciliation and Financing Act** as the instrument for reducing the appropriation from 4% to 2% for FY2021. Along with Medicaid providers, the Governor also cut funding increases for behavioral health providers and developmental disability providers. On Monday, the Department of Legislative Services will present an analysis of the budget to members of both the House Appropriations Committee and the Senate Budget and Taxation Committee. After additional information is collected, LifeSpan will initiate a grassroots effort to restore the increase to the 4%.

In addition to the budget, two bill hearing were held this week. LifeSpan testified in opposition to Senate Bill 106, which was requested by the Maryland Health Care Commission and would have eliminated the CON requirement for facilities owned by the State. It is our understanding that the Committee voted to have the bill withdrawn given that the Commission could not articulate why State facilities should be treated differently than private organizations. The second hearing was on Senate Bill 42, which revised the reporting requirements related to the Total Cost of Care Model. LifeSpan testified that the report should also include a report on partnerships entered into by hospitals and post-acute care providers.

The bill chart for this week is attached.

House Bill 123/Senate Bill 217: Labor and Employment – Wage History and Wage Range: This bill is a reintroduction from last Session. It requires an employer to provide, on request to an applicant for employment, the wage range for the position for which the applicant applied. The bill prohibits an employer from screening or considering an applicant for employment or determining an applicant's wages based on the applicant's wage history and from seeking wage history information for an applicant. However, an applicant is not prohibited from voluntarily sharing wage history information with an employer. An employer may not retaliate against or refuse to interview, hire, or employ an applicant because the applicant did not provide wage history or requested the wage range. The bill includes civil penalties for employers who violate specified provisions. Last Session, both LifeSpan and MAADS opposed the bill.

Senate Bill 150: Estates and Trusts - Estate Recoveries - Presentation of Claims Against Medicaid Recipients: This bill alters the time frame from when the Maryland Department of Health is barred from bringing a claim against the estate of a by adding that the claim must be brought six months after **THE FIRST** publication of notice of the first appointment of a personal representative.

Senate Bill 166: Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances: This is a reintroduction from the 2019 Session. In general, it requires that all prescriptions for a controlled dangerous substance must be prescribed electronically. Last Session, LifeSpan successfully advocated for an amendment to exclude circumstances when the prescription is for a patient residing in a nursing home, assisted living or under the care of a hospice or palliative care program. This amendment remains in the bill.