



General Assembly Weekly Report
Week ending January 12, 2024
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Introduction

The 2024 Session of the Maryland General Assembly commenced at noon on January 10th. This is the second year of the term, which often results in the introduction of more controversial issues. This Session, the fiscal year 2025 budget will take center stage. Maryland is facing a projected structural deficit of \$761 million, which is expected to increase to about \$2.7 billion in fiscal year 2029, largely due to rising education costs from the Blueprint for Maryland's Future (K-12 education). The Governor will release the budget on January 17th.

As far as committee structure, the House of Delegates remains virtually unchanged this year in the committees that are paramount to LifeSpan – House Health and Government Operations (Chair Joseline Pena-Melnyk) and House Appropriations (Chair Ben Barnes). In the Senate, the most notable change is that Senator Pam Beidle will now serve as Chair to the Senate Finance Committee after the departure of Melony Griffith who is now the CEO of the Maryland Hospital Association.

Pre-Session Updates

This interim has been notably busier than normal, with several reports and initiatives likely to result in legislation.

Regarding assisted living communities, efforts to revise the regulations have been ongoing since 2016 with two versions being released this year. The Office of Health Care Quality has indicated that the final draft will be promulgated for the formal 30-day review period in the January 26th Maryland Register.

In addition, the Maryland Health Care Commission released two drafts of its report to study small assisted living programs (nine beds and under). As you may recall, this summer, the Commission released its first draft which contained ten recommendations. LifeSpan basically opposed this draft given that it went beyond the scope of nine beds and failed to address issues regarding Medicaid reimbursement and whether a different regulatory structure should be used for smaller programs. The second draft responded to many of the LifeSpan concerns; however, LifeSpan did provide additional comments. This report still needs approval of the full Commission; however, the draft can be downloaded on the Commission's website.

[wkgrp_al_drf_recommend_20240110.pdf \(maryland.gov\)](#)

The Commission also released a final report on nursing home acquisition. [wkgrp_nh_acq_final_rpt_01102024.pdf \(maryland.gov\)](#). LifeSpan has been in communication with the Commission regarding possible legislation. It is important to note that Chair Pam Beidle (Senate Finance Committee) participated in this workgroup and has indicated her desire to examine acquisitions more closely. Again, it is anticipated that legislation will be introduced on this issue.

The Commission to Study the Health Care Workforce Crisis released its final report. The report is more of a compilation of information rather than a standard set of recommendations. Several legislative committees have requested briefings from the Department of Health on the report. At this time, it is unclear what legislation may result from the report. However, it is our understanding that Senator Ariana Kelley will be introducing legislation on a health care workforce data registry. [COMMISSION TO STUDY THE HEALTH CARE WORKFORCE CRISIS Final Report Draft \(2\).docx \(maryland.gov\)](#)

Lastly, it is expected that, as a result of a workgroup convened this interim, there will be legislation to address wait times in emergency departments. One issue raised regarding nursing homes involved discharges from hospitals to nursing homes. The main issue highlighted was delays caused by the prior authorization process, mainly involved federally regulated Medicare Advantage plans. However, another concern raised was on the ability to be able to discharge on the weekends.

Legislation

There were about 600 bills pre-filed and introduced on opening day, which may have been a record. While some committees have begun to schedule bill hearings, most committees are holding information briefings from State agencies.

LifeSpan has requested that legislation be introduced to: 1) extend the time when assisted living managers must be licensed by the Board of Long-Term Care Administrators (currently the requirement is by October 2024); and 2) address the need to provide uniformity to the nursing assistant programs to ensure that all new graduates meet the necessary requirements to work in all settings rather than a separate requirement for nursing homes.

Below is a summary of the legislation that has been introduced as of January 11th.

SB3: Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting

This is a reintroduction from last year. This bill generally requires each health occupations board to issue an expedited temporary license, certificate, registration, or permit to a service member, veteran, or military spouse who meets specified requirements. The Maryland Department of Health (MDH) must (1) by June 1, 2025, report on the procedures developed by each health occupations board for issuing expedited temporary licenses, certificates, registrations, or permits to service members, veterans, or military spouses; (2) publish prominently on the MDH website the information on each expedited licensing process and any assistance or other services available related to licensure, certification, or registration for service members, veterans, and military spouses; and (3) by January 1, 2026, and annually thereafter, report to the General Assembly on

the processing of applications from service members, military spouses, and veterans, as specified, for the immediately preceding 12-month period.

SB3 hearing – 1/30.

Note: Last Session, LifeSpan did not weigh in.

SB197/HB39: Residential Service Agencies – Reimbursement – Personal Assistance Services

This bill is a reintroduction from last Session. It passed the House, but no action was taken in the Senate Finance Committee. Under the bill, the Maryland Department of Health may reimburse a residential service agency for personal assistance services only if the personal assistance services are provided by an individual classified as an employee.

SB197 – hearing 2/8.

Note: Last Session, MNCHA supported the bill; LifeSpan took no position.

SB38: Wage Payment and Collection – Pay Stubs and Pay Statements – Required Information

This bill alters the requirements governing information that must be on pay stubs/pay statements. Under this bill, the pay stub or pay statement must include:

- (i) the employer’s name registered with the state, address, and telephone number;
- (ii) the dates of work covered by the pay period for which the payment is made;
- (iii) unless the employee is exempt from overtime under federal and state law, the number of hours worked during the pay period;
- (iv) the rates of pay;
- (v) the gross and net pay earned during the pay period;
- (vi) the amount and purpose of all deductions;
- (vii) a description of the information used by the employer to calculate the employee’s gross and net pay; and
- (viii) for each employee paid at a piece rate, the applicable piece rates of pay and the number of pieces completed at each piece rate.

The bill carries with it penalties for non-compliance.

SB38 hearing – 2/1.

SB76/HB68: Continuing Care Retirement Communities – Governing Bodies, Grievances & Entrance Fees

This bill revises three sections of law that were debated as part of the 2012 legislation. The bill:

- **Governing Bodies:** Requires two, not one, resident to be on a governing body and provides that allowances for those residents to be able to discuss non-confidential information with other residents;
- **Grievances:** Requires the CCRCs to report twice a year to the Maryland Department of Aging on the number and outcome of grievances;
- **Entrance Fees:** Requires the CCRCs to report twice a year the outstanding refunds owed to the Maryland Department of Aging. More importantly, the bill changes the refund process to a “sequential order” for the return of refunds rather than “subject to the contract.”

SB76 – hearing 2/8.

SB221/HB146: Health Occupations Boards – Reciprocal Licensure and Certification

This is a health department administrative bill. The bill grants a health occupation board that does not already have the authority to grant reciprocity to those licensed or certified in other states that authority. It is unclear which boards currently do not have that authority and would therefore be covered under this bill.

SB221 – hearing 1/30.

HB189: Maryland Medical Assistance Program – Provider Agencies and Personal Care Aides – Reimbursement and Wage Reports (Homecare Workers Employment Act of 2024)

Note: The incorrect version of this bill was filed; the Senate version is correct but has not yet been introduced. No hearing date set. HOLD until the Senate version is available.

Overall, this bill requires a report from personal care agencies on the average wage rate paid as well as the highest and lowest wage rates. The bill also seeks to update the 2018 study on cost of care versus reimbursement levels.

SB223/HB225: Interagency Committee on Aging Services – Repeal

This is a departmental bill introduced by the Maryland Department of Aging. It repeals the Interagency Committee on Aging Services. The recently announced Longevity-Ready Maryland Initiative has a component regarding interagency cooperation. [EO 01.0.1.2024.01 The Longevity Ready Maryland Initiative A Multisector Plan for Longevity Accessible.pdf](#)

SB223 hearing – 1/24.

Key Dates

Key dates this Session include:

- January 17th: Introduction of FY2025 Budget.
- January 19th: Senate and House Bill Drafting Guarantee Request date.
- January 22nd: Administration bill package introduction date.
- February 5th: Senate Bill Introduction date.
- February 9th: House Bill Introduction date.
- March 18th: Cross-over date.
- April 1st: Budget Bill to be passed by both Chambers.
- April 8th: Sine Die/Last Day of Session.

Legislative Day

Please remember to register for Legislative Day. For the second year, LifeSpan is joining with the Maryland-National Capital Homecare Association, the Hospice & Palliative Care Network of Maryland, and the Maryland Association of Adult Day Services.

[Summary - 2024 Legislative Day In Annapolis \(cvent.com\)](#)