



**General Assembly Weekly Report**  
**Week ending January 26, 2024**  
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**General Weekly Overview**

The Maryland Department of Health confirmed that Medicaid providers who have previously received the mandatory 4% rate increase over the last few fiscal years will receive a 3% rate increase for FY2025. Note that, given the acceleration of the minimum wage requirement to \$15/hour and the corresponding increase in the reimbursement rates (i.e., eight percent = January 1, 2024), the upcoming fiscal year is the first year that Medicaid providers will not automatically receive a mandated rate increase but will instead be “subject to the State budget” and availability of funds.

The Governor announced his policy priorities for the 2024 Session. Governor Moore unveiled fifteen policy proposals under the headings of Public Safety, Improving Affordability, Improving Competitiveness, and Public Service. Coverage of the Governor’s announcement and a list of bills is available here: [Moore sends agenda to House and Senate - Maryland Matters](#).

The Public Health and Minority Health Disparities Subcommittee of the House Health and Government Operations Committee received a briefing from the Cannabis Public Health Advisory Committee. The presentation is available here: [hgo - 133505471534687238 - FINAL Cannabis Briefing Presentation - HGO Committee 01.23.24.pdf \(maryland.gov\)](#). As you will recall, there is a bill before the General Assembly to authorize designated medical personnel in health care facilities (nursing homes, assisted living, home health, residential services agencies, and hospice) to assist qualifying patients with the administration of medical cannabis. LifeSpan will be taking a no position on the legislation but sending in a letter of information.

NOTE: It had previously been reported that the revisions to the assisted living regulations would be released in the Maryland Register on January 26, 2024; however, they were not in the Maryland Register. The Register is published every two weeks and LifeSpan will continue to review.

**Updates on Legislation**

Below are updates on legislation, including newly introduced legislation.

LifeSpan, along with LeadingAge MD, opposed **Senate Bill 328: Funding for Wages and Benefits for Nursing Home Workers (Nursing Home Staffing Crisis Funding Act of 2024)**. This bill would have required the State to provide an 8% rate increase for FY2026, FY2027 and FY2028. However, 75% of each increase would have to be used to increase wages and benefits

for workers. The bill has a \$125.1 million fiscal note (total funds) in FY2026, increasing to \$406 million in FY2028. This bill is sponsored by SEIU. The hearing went well, and no questions were asked by the committee members of either the supporters or those of us opposing. The House bill (HB462) is being heard this week in the House Health and Government Operations Committee.

LifeSpan participated in a meeting with Delegate Ken Kerr and Senator Pam Beidle, who have both indicated that they will be sponsoring a bill to provide greater oversight on nursing home acquisitions. Participating in the meeting were LifeSpan and other industry representatives as well as representatives from the Maryland Health Care Commission, the Office of Health Care Quality, the Maryland Department of Aging, and the Maryland Department of Health. LifeSpan is reviewing an informal draft in anticipation of the bill being introduced and will present it to the LifeSpan Policy Committee at that time.

Given the comments received, LifeSpan will be opposing **House Bill 68/Senate Bill 76: Continuing Care Resident Communities – Governing Bodies**. The hearing is scheduled for this week.

### **Newly Introduced Legislation**

#### **[House Bill 525/Senate Bill 513](#): Employment Discrimination – Use of Cannabis Products.**

This bill prohibits an employer from taking an adverse employment action against an individual because of: (i) the individual's use of cannabis products that is lawful under the laws in the State that occurs off the employer's premises during nonwork hours; (ii) the individual's positive drug test for cannabinoids or cannabis metabolites, unless the individual used, possessed, or was under the influence of cannabis on the premises of the place of employment; or (iii) the individual's prior arrest or conviction for a nonviolent cannabis offense that does not involve distribution to a minor. The bill contains provisions affirming the right of an employer to drug test and to act when an individual is impaired or under the influence.

#### **[House Bill 571/Senate Bill 485](#): Family and Medical Leave Insurance Program – Modifications.**

Among other provisions related to the definition of covered employees, this bill delays the date for when employers/employees must begin contributing to the Program from October 1, 2024 to July 1, 2025. Employees cannot begin to take leave until July 1, 2026.

#### **[House Bill 649/Senate Bill 525](#): Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency.**

This bill requires an employer to:

- disclose in each public or internal posting for each job, promotion, transfer, or other employment opportunity the hourly or salary wage or wage range and a general description of benefits and other compensation offered for the position; and
- if a public or internal posting for a job, promotion, transfer, or other employment opportunity was not made available to an applicant for employment, disclose to the applicant the information required to be disclosed in a public or internal posting before a discussion of compensation is held with the applicant and at any other time on request of the applicant.

An employer is required to set the wage range disclosed in good faith. “Wage range” means the minimum and maximum hourly or salary wage for a position, set in good faith by reference, as applicable, to: (1) any pay scale; (2) any previously determined minimum and maximum hourly or salary wage for the position; (3) the minimum and maximum hourly or salary wage of an individual holding an equivalent position at the time of the posting; or (4) the budgeted amount for the position.

**[Senate Bill 631](#): State Board of Long-Term Care Administrators – Requirements for Assisted Living Managers. \*Not on Client Profile Chart yet.**

This bill has been introduced at the request of LifeSpan and delays the implementation date for assisted living managers having to be licensed by the State Board of Long-Term Care Administrators from October 1, 2024 to July 1, 2026. The same extension also applies to those managers employed in programs with four or fewer beds from having to take the 80-hour course. LifeSpan worked on these extensions with the Board, OHCQ and the Department of Aging.

### **Key Dates**

Key dates this Session include:

- February 5<sup>th</sup>: Senate Bill Introduction date.
- February 9<sup>th</sup>: House Bill Introduction date.
- March 18<sup>th</sup>: Cross-over date.
- April 1<sup>st</sup>: Budget Bill to be passed by both Chambers.
- April 8<sup>th</sup>: 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 \(cvent.com\)](#)