



General Assembly Weekly Report
Week ending January March 1, 2024
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General Updates

News surfaced this week regarding an unexpected \$236 million shortfall in the Medicaid program. The shortfall was reported to be a result of a budgeting error and was discovered as legislative analysts were reviewing the budget proposal for fiscal year 2025. As a result, the State must cover a \$115 million gap for the current fiscal year and a \$150 million shortfall for fiscal year 2025. So far, there has been no discussions on the elimination of the 3%. The General Assembly must conclude its budget work by April 1st.

We are now two weeks from cross-over, which means the next two weeks will be jammed!

Senate Bill 73/House Bill 68: Continuing Care Retirement Communities - Governing Bodies, Grievances, and Entrance Fees. At this point, there has been no more discussions on this bill MaCCRA offered another set of amendments, which would remove the sequential refund changes from the bill and would instead require a letter from the CCRC to the subscriber or the subscriber's beneficiary every six months on why the unit hasn't been recontracted. A counter amendment was offered for at the one-year mark but no response from MaCCRA. **House Bill 1177: Continuing Care Retirement Communities – Subscriber Rights and Provider Duties** is up for a hearing this week, which requires an extensive "Subscriber's Bill of Rights."

Senate Bill 1000/House Bill 1122: Nursing Home – Acquisitions – Revision. From meetings with our members, LifeSpan sent concerns and suggested changes to the sponsors and the affected State agencies – Maryland Health Care Commission, Office of Health Care Quality, Department of Aging. This bill is scheduled for a hearing on March 7th. We had another meeting last Thursday which ended with the timeframe of 120 days for submission before closing reduced to 60 days (currently 30 days). However, there was a snag regarding the timeframe between the Executive Director and the Commission that we are now addressing.

House Bill 723/Senate Bill 863: Office of the Attorney General – Rights of Residents of Health Care Facilities – Injunctive Relief and Penalties, which would authorize the Attorney General to seek injunctive relief against a nursing home or an assisted living program on the basis of an imminent or ongoing violation of a basic right, was heard before the Senate Finance Committee on Friday. Again, LifeSpan was the only entity opposing the bill at the hearing. The bill followed **Senate Bill 825: Health Facilities – Delegation of Inspection Authority – Related Institutions and Nursing Homes,** which would allow counties to conduct inspections. The bill hearing also highlighted the delays in surveys and complaint investigations, making it harder to point out that the authority to immediately require a nursing home or assisted living to cease actions is already present in the law. My point, when being questioned heavily by Senator Kramer

(sponsor of SB825) was fix “that”; don’t add this. Nonetheless, this is the Attorney General’s highest priority. In speaking with representatives of his office afterwards, they did agree to add in the language on duplication, which I shared with you last week. I will also be requesting the elimination of the penalties for assisted living.

House Bill 874: State Board of Long-Term Care Administrators - Requirements for Assisted Living Managers was voted favorable with amendments (amendment was on the content of the reports) in the HGO committee. The Senate hearing was last week, and it is expected that the Senate will follow suit. This bill extends the timeframe for licensure of managers to July 1, 2026. The new Executive Director of the Board has been very nice to work with on this issue, and I look forward to working with her.

House Bill 525/Senate Bill 513: Employment Discrimination - Use of Cannabis Products remains in committee. LifeSpan, with others, presented the sponsor with the “sensitive worker” exclusion. It is unclear the actions that will be taken in the committees.

Senate Bill 999: Certified Nursing Assistants – Licensing Requirements and Administrative Updates was heard in the Senate Finance Committee. This bill will ensure that all nursing training programs comply with the federal requirements currently specified for nursing homes and that all graduates take the necessary examination. Current CNAs will not be required to make any changes. This law will have a delayed effective date to ensure that the training programs can comply and allow time for the MBON to change their systems.