

HOUSE BILL 1009

Q3, J2

8lr2693

By: **Delegates Cardin, Beitzel, Boteler, Bromwell, Donoghue, Frank, Kach, Kipke, Kullen, Manno, Minnick, Montgomery, Morhaim, Nathan-Pulliam, Ramirez, Riley, Tarrant, Weir, and Weldon**

Introduced and read first time: February 7, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax Exemption – Military Health Care Pensions – Health Care**
3 **Workforce Shortage**

4 FOR the purpose of providing a subtraction modification under the Maryland income
5 tax for certain individuals with certain military retirement income under
6 certain circumstances; extending the termination date of the Statewide
7 Commission on the Shortage in the Health Care Workforce; expanding the
8 requirements of the Commission to include identifying certain health care
9 fields; requiring the Commission to report certain findings to the Comptroller;
10 providing for the application of this Act; and generally relating to a subtraction
11 modification for certain military retirement income.

12 BY repealing and reenacting, without amendments,
13 Article – Tax – General
14 Section 10–207(a)
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2007 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Tax – General
19 Section 10–207(q)
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2007 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Health Occupations
24 Section 1–601
25 Annotated Code of Maryland
26 (2005 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Chapter 379 of the Acts of the General Assembly of 2006
3 Section 2

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Tax - General**

7 10-207.

8 (a) To the extent included in federal adjusted gross income, the amounts
9 under this section are subtracted from the federal adjusted gross income of a resident
10 to determine Maryland adjusted gross income.

11 (q) (1) (i) In this subsection the following words have the meanings
12 indicated.

13 (ii) "Military service" means:

14 1. induction into the armed forces of the United States
15 for training and service under the Selective Training and Service Act of 1940 or a
16 subsequent act of a similar nature;

17 2. membership in a reserve component of the armed
18 forces of the United States;

19 3. membership in an active component of the armed
20 forces of the United States;

21 4. membership in the Maryland National Guard; or

22 5. active duty with the commissioned corps of the Public
23 Health Service, the National Oceanic and Atmospheric Administration, or the Coast
24 and Geodetic Survey.

25 (iii) "Military retirement income" means retirement income
26 received as a result of military service.

27 (2) The subtraction under subsection (a) of this section includes the
28 first \$5,000 of military retirement income received by an individual during the taxable
29 year.

30 **(3) (I) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS**
31 **SECTION INCLUDES 100% OF MILITARY RETIREMENT INCOME RECEIVED BY AN**
32 **INDIVIDUAL DURING THE TAXABLE YEAR, IF THE INDIVIDUAL:**

1 **1. COMMITTS TO LIVING AND WORKING IN THE STATE**
2 **FOR A PERIOD REQUIRED BY THE COMPTROLLER; AND**

3 **2. WORKS IN A HEALTH CARE FIELD IDENTIFIED AS**
4 **HAVING A HEALTH CARE WORKFORCE SHORTAGE BY THE STATEWIDE**
5 **COMMISSION ON THE SHORTAGE IN THE HEALTH CARE WORKFORCE**
6 **ESTABLISHED UNDER § 1-601 OF THE HEALTH OCCUPATIONS ARTICLE.**

7 **(II) THE COMPTROLLER, IN CONSULTATION WITH THE**
8 **STATEWIDE COMMISSION ON THE SHORTAGE IN THE HEALTH CARE**
9 **WORKFORCE, SHALL ADOPT REGULATIONS TO PRESCRIBE STANDARDS FOR THE**
10 **SUBTRACTION UNDER THIS PARAGRAPH.**

11 **Article – Health Occupations**

12 1-601.

13 (a) There is a Statewide Commission on the Shortage in the Health Care
14 Workforce.

15 (b) The Commission consists of the following members:

16 (1) One member of the House of Delegates, appointed by the Speaker
17 of the House;

18 (2) One member of the Senate of Maryland, appointed by the
19 President of the Senate;

20 (3) The Secretary of Health and Mental Hygiene;

21 (4) The Secretary of Business and Economic Development;

22 (5) The State Superintendent of Schools, or the State Superintendent's
23 designee;

24 (6) The Secretary of Higher Education, or the Secretary's designee;

25 (7) A representative from the University System of Maryland with
26 knowledge of health care workforce issues, appointed by the Chancellor of the
27 University System of Maryland;

28 (8) A representative from a community college that offers degrees to
29 health care workers, appointed by the Maryland Association of Community Colleges;

1 (9) A representative from an independent college that offers degrees to
2 health care workers, appointed by the Maryland Independent College and University
3 Association;

4 (10) The Executive Director of the Office of Minority Health and Health
5 Disparities or the Executive Director's designee;

6 (11) The Executive Director of the Rural Maryland Council or the
7 Executive Director's designee;

8 (12) A representative from the Greater Baltimore Regional Business
9 Community with knowledge of health care workforce issues, appointed by the Greater
10 Baltimore Committee;

11 (13) A representative from the Greater Washington Regional Business
12 Community with knowledge of health care workforce issues, appointed by the
13 Committee for Montgomery;

14 (14) A union representative who is a health care worker, chosen from a
15 list submitted by unions that represent health care workers;

16 (15) A student health care worker representative, chosen from a list
17 submitted by institutions of higher education that educate health care workers;

18 (16) The President of the Maryland Hospital Association or the
19 President's designee;

20 (17) A representative from the long-term care industry;

21 (18) A representative from the community-based health care industry;

22 (19) A representative from a community mental health program
23 operating in the public mental health system;

24 (20) A representative from a medical laboratory; and

25 (21) A consumer of health care services.

26 (c) In performing its duties, the Commission may consult with individuals
27 and entities that the Secretary deems appropriate.

28 (d) (1) The Secretary of Health and Mental Hygiene shall:

29 (i) Chair the Commission;

30 (ii) Appoint the nondesignated membership of the Commission;
31 and

1 (iii) Establish subcommittees and appoint subcommittee chairs
2 as necessary to facilitate the work of the Commission.

3 (2) To the extent practicable, the members appointed to the
4 Commission shall reasonably reflect the geographic, racial, ethnic, cultural, and
5 gender diversity of this State.

6 (e) The Commission shall:

7 (1) Determine the current extent of the health care workforce shortage
8 in the State including an evaluation of mechanisms currently available in the State
9 and elsewhere intended to enhance education, recruitment, and retention of health
10 care workers;

11 (2) Examine what changes are needed:

12 (i) To enhance institutional capacity to increase student
13 enrollment and graduation rates; and

14 (ii) To enhance existing educational programs, scholarship
15 programs, and funding mechanisms to provide incentives to individuals to enter the
16 health care workforce;

17 (3) Examine what changes are needed within the health care
18 environment to retain health care workers;

19 (4) Identify methods to:

20 (i) Recruit minorities into the health care workforce;

21 (ii) Recruit high school students into the health care workforce;

22 (iii) Recruit and facilitate the long-term retention of health care
23 workers in rural and underserved areas in the State; and

24 (iv) Facilitate career advancement and retention of health care
25 workers; [and]

26 (5) Develop recommendations on, and facilitate implementation of,
27 strategies to reverse the growing shortage of health care workers in the State; **AND**

28 **(6) IDENTIFY AND REPORT TO THE COMPTROLLER IN WHICH**
29 **HEALTH CARE FIELDS THERE ARE SHORTAGES IN THE STATE.**

30 (f) The Department shall provide staff support to the Commission.

1 (g) The Commission shall report its findings and recommendations to the
2 Governor and, subject to § 2-1246 of the State Government Article, to the General
3 Assembly on or before January 1 of each year.

4 (h) A member of the Commission may not receive compensation but is
5 entitled to reimbursement for expenses under the Standard State Travel Regulations,
6 as provided in the State budget.

7 **Chapter 379 of the Acts of 2006**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2006. It shall remain effective for a period of [2] 4 years and, at the end of June
10 30, [2008] 2010, with no further action required by the General Assembly, this Act
11 shall be abrogated and of no further force and effect.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2008, and shall be applicable to taxable years beginning after December 31,
14 2008.