

SB0432/817272/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 432
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Hygiene –” insert “Plan for Creation and Implementation of a”; in line 3, strike “- Establishment”; and strike beginning with “establish” in line 5 down through “terms” in line 18 and substitute “develop a plan, with the input of stakeholders, for the creation and implementation of a database in the Department of certain direct access employees for a certain purpose; requiring the Department to examine certain matters in developing the plan; requiring the Department to submit the plan to certain legislative committees on or before the date; defining certain terms”.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 2 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 4, strike “the Laws of Maryland read as follows”.

On pages 2 through 4, strike in their entirety the lines beginning with line 5 on page 2 through line 9 on page 4, inclusive, and substitute:

“(a) (1) In this section, the following words have the meanings indicated.

(2) “Adult dependent care program” has the meaning stated in § 19-1901 of the Health - General Article.

(3) “Direct access employee” means an individual who:

(Over)

(i) for compensation, works for an adult care dependent care program; and

(ii) has routine direct access to dependent adults in the adult dependent care program.

(b) (1) The Department of Health and Mental Hygiene shall develop a plan, with the input of stakeholders, for the creation and implementation of a database in the Department of direct access employees to enable adult dependent care programs to obtain the employment history of individuals seeking or holding a position as a direct access employee.

(2) In developing the plan under this subsection, the Department shall address:

(i) the technology needed to establish the database, including a cost estimate for the development of the technology;

(ii) the procedures for how employers would input information into the database and obtain employment history from the database for individuals seeking employment, including procedures for maintaining the security of information input into or obtained from the database;

(iii) the costs associated with creating and maintaining the database, including the number of Department employees this will require;

(iv) which unit within the Department would be responsible for the database;

(v) the type of employers that should be required to input employee information into the database and access the database to obtain employment history;

(vi) the type of identifying information that should be included in the database;

(vii) the expectations for employers if a prospective employer contacts the previous employer, including any potential liability for disclosure of disciplinary actions or adverse employment decisions;

(viii) whether all employees with direct access to dependent adults should be included in the database, or whether the database should include only those employees who are not licensed or certified by a health occupations board; and

(ix) options for implementing the database, including whether a phase-in approach for implementation should be adopted, and when employers should begin to input information into and access information from the database.

(c) On or before December 1, 2014, the Department, in accordance with § 2-1246 of the State Government Article, shall submit the plan required under subsection (b) of this section to the Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 4, in line 11, strike “October” and substitute “July”.