

# HOUSE BILL 1200

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6lr0789

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By: **Prince George's County Delegation**

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Community–Based Developmental Disabilities**  
3 **Services Providers – County Minimum Wage Reimbursement**

4 **PG 414–16**

5 FOR the purpose of requiring the Department of Health and Mental Hygiene, under certain  
6 circumstances, to reimburse community–based developmental disabilities services  
7 providers located in Prince George's County at a rate sufficient to ensure that the  
8 hourly wage paid to community direct service workers in the county is the same  
9 percentage above the county minimum wage rate as community direct service  
10 workers outside the county are paid above the State minimum wage rate; requiring  
11 the Department, under certain circumstances, to notify Prince George's County of  
12 the amount the county is required to reimburse the Department under a certain  
13 provision of this Act; requiring Prince George's County, under certain circumstances,  
14 to reimburse the Department for the difference between certain reimbursement  
15 rates paid to certain providers; requiring that the amount Prince George's County  
16 reimburses the Department under a certain provision of this Act be used to pay an  
17 hourly wage to community direct service workers in the county that is the same  
18 percentage above the county minimum wage rate as community direct service  
19 workers outside the county are paid above the State minimum wage rate; and  
20 generally relating to reimbursement rates for community–based developmental  
21 disability service providers located in Prince George's County.

22 BY repealing and reenacting, with amendments,  
23 Article – Health – General  
24 Section 7–307  
25 Annotated Code of Maryland  
26 (2015 Replacement Volume)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article – Health – General**

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2 7–307.

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

4 (2) “Community direct service worker” means an employee of a community  
5 provider that provides treatment or services to developmentally disabled individuals.

6 (3) “Community provider” means a community–based agency or program  
7 funded by the Administration to serve individuals with developmental disabilities.

8 (4) “Rate” means the reimbursement rate paid by the Department to a  
9 community provider from the State General Fund, Maryland Medical Assistance Program  
10 funds, other State or federal funds, or a combination of funds.

11 (b) Notwithstanding the provisions of this title or any other provision of law, the  
12 Department shall reimburse community providers as provided in this section.

13 (c) Subject to subsection (d) of this section, the Department shall increase the rate  
14 of reimbursement for community services providers each fiscal year by the amount of rate  
15 increase included in the State budget for that fiscal year.

16 (d) (1) The Governor’s proposed budget for fiscal year 2016 shall include a  
17 3.5% rate increase for community service providers over the funding provided in the  
18 legislative appropriation for Object 08 Contractual Services in Program M00M01.02  
19 Community Services for fiscal year 2015.

20 (2) The Governor’s proposed budget for fiscal year 2017 shall include a  
21 3.5% rate increase for community service providers over the funding provided in the  
22 legislative appropriation for Object 08 Contractual Services in Program M00M01.02  
23 Community Services for fiscal year 2016.

24 (3) The Governor’s proposed budget for fiscal year 2018 shall include a  
25 3.5% rate increase for community service providers over the funding provided in the  
26 legislative appropriation for Object 08 Contractual Services in Program M00M01.02  
27 Community Services for fiscal year 2017.

28 (4) The Governor’s proposed budget for fiscal year 2019 shall include a  
29 3.5% rate increase for community service providers over the funding provided in the  
30 legislative appropriation for Object 08 Contractual Services in Program M00M01.02  
31 Community Services for fiscal year 2018.

32 (e) The Governor’s proposed budget for fiscal year 2016 and thereafter for  
33 community service providers shall be presented in the same manner, including object and  
34 program information, as provided for in the fiscal year 2015 budget.

1 (f) A portion of the funds in subsection (e) of this section may be allocated to  
2 address the impact of an increase in the State minimum wage on wages and benefits of  
3 direct support workers employed by community providers licensed by the Developmental  
4 Disabilities Administration.

5 (G) (1) IF THE COUNTY MINIMUM WAGE RATE IN PRINCE GEORGE'S  
6 COUNTY IS HIGHER THAN THE MINIMUM WAGE RATE REQUIRED UNDER § 3-413 OF  
7 THE LABOR AND EMPLOYMENT ARTICLE, THE DEPARTMENT SHALL:

8 (I) REIMBURSE COMMUNITY PROVIDERS LOCATED IN THE  
9 COUNTY AT A RATE SUFFICIENT TO ENSURE THAT THE HOURLY WAGE PAID TO  
10 COMMUNITY DIRECT SERVICE WORKERS IN THE COUNTY IS THE SAME PERCENTAGE  
11 ABOVE THE COUNTY MINIMUM WAGE RATE AS COMMUNITY DIRECT SERVICE  
12 WORKERS OUTSIDE THE COUNTY ARE PAID ABOVE THE STATE MINIMUM WAGE RATE;  
13 AND

14 (II) NOTIFY THE COUNTY OF THE AMOUNT THE COUNTY IS  
15 REQUIRED TO REIMBURSE THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS  
16 SUBSECTION.

17 (2) PRINCE GEORGE'S COUNTY SHALL REIMBURSE THE  
18 DEPARTMENT FOR THE DIFFERENCE BETWEEN:

19 (I) THE REIMBURSEMENT RATES THE DEPARTMENT IS  
20 REQUIRED TO PAY TO COMMUNITY PROVIDERS LOCATED IN THE COUNTY UNDER  
21 PARAGRAPH (1)(I) OF THIS SUBSECTION; AND

22 (II) THE REIMBURSEMENT RATES THAT THE DEPARTMENT  
23 PAYS COMMUNITY PROVIDERS THAT ARE LOCATED OUTSIDE THE COUNTY.

24 (3) THE AMOUNT THAT PRINCE GEORGE'S COUNTY REIMBURSES  
25 THE DEPARTMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE USED TO  
26 PAY AN HOURLY WAGE TO COMMUNITY DIRECT SERVICE WORKERS IN THE COUNTY  
27 THAT IS THE SAME PERCENTAGE ABOVE THE COUNTY MINIMUM WAGE RATE AS  
28 COMMUNITY DIRECT SERVICE WORKERS OUTSIDE THE COUNTY ARE PAID ABOVE  
29 THE STATE MINIMUM WAGE RATE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2016.