

SENATE BILL 1026

J1, K3

8lr3490

By: **Senator Madaleno**

Introduced and read first time: February 5, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Department of Health – Employed Beneficiaries of Assistance**
3 **Programs**

4 FOR the purpose of requiring the Maryland Department of Health annually to identify a
5 certain number of employers in the State that have the highest number of employees
6 receiving certain medical assistance or medical benefits; requiring the Department,
7 on or before a certain date each year, to report to the General Assembly certain
8 information regarding each of the identified employers; prohibiting the reports from
9 disclosing the names of certain individuals; subjecting the reports to certain privacy
10 standards; requiring the reports to be made available to the public on the
11 Department’s website; authorizing the Department to establish interagency
12 agreements to obtain certain information; and generally relating to employed
13 beneficiaries of medical assistance programs.

14 BY adding to
15 Article – Health – General
16 Section 15–1101 to be under the new subtitle “Subtitle 11. Employed Beneficiaries
17 of Assistance Programs”
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2017 Supplement)

20 Preamble

21 WHEREAS, Public benefit programs are essential to provide residents of the State
22 access to fresh and healthy food, quality health coverage, basic needs, cash assistance, child
23 care, income supports, and other benefits; and

24 WHEREAS, The State needs to preserve and expand public benefit programs to
25 ensure that no resident has to go hungry or forego medical care because they cannot afford
26 basic life necessities; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, When low wages and a lack of benefits leave workers unable to make
2 ends meet, they turn to public assistance programs for health care, food, and other basic
3 necessities; and

4 WHEREAS, Employers that pay low wages and offer insufficient benefits shift the
5 costs of doing business onto taxpayers; and

6 WHEREAS, More than 60% of enrollees in Medicaid and the Children's Health
7 Insurance Program nationwide are members of working families, meaning that the
8 taxpayers bear a significant portion of the hidden costs of low-wage work; and

9 WHEREAS, Large, profitable employers should pay wages and benefits that do not
10 impoverish workers, shift costs onto taxpayers, put responsible employers at a competitive
11 disadvantage, or create an unfair playing field for business; and

12 WHEREAS, To promote a deeper understanding of the causes and sources of
13 underemployment, poverty wages, and the economic impacts on society, business, and the
14 State budget, it is appropriate for policymakers to possess a broader set of empirical data
15 with which to make informed decisions to protect workers and strengthen the economy;
16 now, therefore,

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

19 **Article – Health – General**

20 **SUBTITLE 11. EMPLOYED BENEFICIARIES OF ASSISTANCE PROGRAMS.**

21 **15–1101.**

22 **(A) THE DEPARTMENT ANNUALLY SHALL IDENTIFY THE 50 EMPLOYERS IN**
23 **THE STATE THAT HAVE THE HIGHEST NUMBER OF EMPLOYEES RECEIVING MEDICAL**
24 **ASSISTANCE OR MEDICAL BENEFITS UNDER THE MARYLAND MEDICAL ASSISTANCE**
25 **PROGRAM, THE MARYLAND CHILDREN'S HEALTH INSURANCE PROGRAM, OR ANY**
26 **OTHER HEALTH BENEFIT PROGRAM FUNDED WHOLLY OR PARTLY BY THE STATE.**

27 **(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, ON OR BEFORE**
28 **FEBRUARY 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL**
29 **ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE,**
30 **THE FOLLOWING INFORMATION REGARDING EACH EMPLOYER IDENTIFIED UNDER**
31 **SUBSECTION (A) OF THIS SECTION:**

32 **(1) THE NAME AND ADDRESS OF THE EMPLOYER;**

33 **(2) THE SIZE OF THE EMPLOYER;**

1 **(3) THE NUMBER OF EMPLOYEES RECEIVING MEDICAL ASSISTANCE**
2 **OR MEDICAL BENEFITS UNDER A STATE-FUNDED PROGRAM;**

3 **(4) THE NUMBER OF SPOUSES AND DEPENDENTS OF EMPLOYEES**
4 **RECEIVING MEDICAL ASSISTANCE OR MEDICAL BENEFITS UNDER A STATE-FUNDED**
5 **PROGRAM;**

6 **(5) WHETHER THE EMPLOYER OFFERS HEALTH BENEFITS TO ITS**
7 **EMPLOYEES;**

8 **(6) WHETHER THE EMPLOYER OFFERS HEALTH BENEFITS TO**
9 **EMPLOYEES WHO RECEIVE MEDICAL ASSISTANCE OR BENEFITS UNDER A**
10 **STATE-FUNDED PROGRAM;**

11 **(7) THE NUMBER OF EMPLOYEES WHO RECEIVE MEDICAL**
12 **ASSISTANCE OR BENEFITS UNDER A STATE-FUNDED PROGRAM AND ARE OFFERED**
13 **HEALTH BENEFITS FROM THE EMPLOYER; AND**

14 **(8) TO THE EXTENT AVAILABLE, THE COST TO THE STATE OF**
15 **PROVIDING MEDICAL ASSISTANCE OR BENEFITS TO INDIVIDUALS EMPLOYED BY THE**
16 **EMPLOYER AND THE INDIVIDUALS' FAMILIES.**

17 **(C) A REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION:**

18 **(1) MAY NOT DISCLOSE THE NAME OF ANY INDIVIDUAL WHO**
19 **RECEIVES MEDICAL ASSISTANCE OR MEDICAL BENEFITS;**

20 **(2) SHALL BE SUBJECT TO THE PRIVACY STANDARDS OF THE**
21 **FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996,**
22 **ANY REGULATIONS ADOPTED UNDER THE ACT, AND ANY OTHER APPLICABLE**
23 **FEDERAL PRIVACY LAWS; AND**

24 **(3) SHALL BE MADE AVAILABLE TO THE PUBLIC ON THE**
25 **DEPARTMENT'S WEBSITE.**

26 **(D) THE DEPARTMENT MAY ESTABLISH INTERAGENCY AGREEMENTS TO**
27 **OBTAIN THE INFORMATION NECESSARY TO IMPLEMENT THIS SECTION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2018.