

## Chapter 576

**(Senate Bill 693)**

AN ACT concerning

**State Personnel – Maryland Department of Health – Pay Rates and Staffing Requirements**

FOR the purpose of requiring that the pay rate for certain employees at Clifton T. Perkins Hospital be at least a certain number of grades higher than a certain pay rate effective on a certain date; requiring that the pay rate for certain employees in the Behavioral Health Administration or the Developmental Disabilities Administration be equal to the pay rate effective on a certain date for certain employees at Clifton T. Perkins Hospital under certain circumstances; requiring, beginning on a certain date, certain facilities to ensure that certain new employees are employed in a certain position; requiring, beginning on ~~a certain date~~ dates, certain facilities to reclassify certain employees on successful completion of a certain course and ensure certain employee-to-patient ratios for certain ~~units~~ facilities; providing for the application and construction of certain provisions of this Act; and generally relating to the Maryland Department of Health, pay rates for employees, and facility staffing requirements.

BY adding to

Article – State Personnel and Pensions

Section 8–203

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

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

**Article – State Personnel and Pensions****8–203.**

**(A) (1) THIS SUBSECTION APPLIES TO EMPLOYEES IN THE MARYLAND DEPARTMENT OF HEALTH WHO:**

**(I) HAVE DIRECT CONTACT WITH PATIENTS; AND**

**(II) ARE IN A POSITION CLASSIFIED IN ONE OF THE FOLLOWING BARGAINING UNITS:**

**1. BARGAINING UNIT D FOR HEALTH AND HUMAN SERVICES NON–PROFESSIONALS;**

2. BARGAINING UNIT E FOR HEALTH CARE PROFESSIONALS;
3. BARGAINING UNIT F FOR SOCIAL AND HUMAN SERVICES PROFESSIONALS; OR
4. BARGAINING UNIT H FOR PUBLIC SAFETY AND SECURITY PERSONNEL.

(2) THE PAY RATE FOR AN EMPLOYEE AT THE CLIFTON T. PERKINS HOSPITAL WHO IS NOT RECEIVING A FORENSIC PAY PREMIUM SHALL BE AT LEAST TWO GRADES HIGHER THAN THE EMPLOYEE'S PAY RATE EFFECTIVE JUNE 30, 2020.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PAY RATE FOR AN EMPLOYEE IN THE BEHAVIORAL HEALTH ADMINISTRATION OR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION SHALL BE EQUAL TO THE PAY RATE EFFECTIVE JULY 1, 2020, FOR SIMILARLY TRAINED, QUALIFIED, OR LICENSED EMPLOYEES AT THE CLIFTON T. PERKINS HOSPITAL IF THE EMPLOYEE WORKS AT A FACILITY THAT HAD A FORENSIC ADMISSION RATE GREATER THAN 75% FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO DECREASE THE PAY RATE OF ANY EMPLOYEE.

(B) (1) ~~BEGINNING JULY 1, 2020, FOR~~ FOR ANY FACILITY THAT HAD A FORENSIC ADMISSION RATE GREATER THAN 75% FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, THE FACILITY SHALL:

(I) BEGINNING JULY 1, 2020, ENSURE THAT ANY NEW EMPLOYEES HIRED FOR A SECURITY PERSONNEL POSITION AT THE FACILITY ARE EMPLOYED IN A SECURITY ATTENDANT POSITION;

(II) BEGINNING JULY 1, 2020, RECLASSIFY ANY EMPLOYEE IN A BUILDING SECURITY OFFICER POSITION INTO A SECURITY ATTENDANT POSITION ON THE SUCCESSFUL COMPLETION BY THE EMPLOYEE OF A CORRECTIONAL TRAINING COURSE APPROVED BY THE CORRECTIONAL TRAINING COMMISSION UNDER TITLE 8, SUBTITLE 2 OF THE CORRECTIONAL SERVICES ARTICLE; AND

(III) BEGINNING JULY 1, 2021, ENSURE THAT THE SECURITY ATTENDANT EMPLOYEE-TO-PATIENT RATIO IS NOT LESS THAN:

**1. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY THREE PATIENTS IN MAXIMUM SECURITY ~~UNITS~~ FACILITIES; AND**

**2. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY 12 PATIENTS IN MINIMUM SECURITY ~~UNITS~~ FACILITIES.**

**(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO ELIMINATE THE POSITION, OR DECREASE PAY, OF ANY EMPLOYEE IN A BUILDING SECURITY OFFICER POSITION WHO CHOOSES NOT TO PARTICIPATE IN, OR FAILS, A CORRECTIONAL TRAINING COURSE APPROVED BY THE CORRECTIONAL TRAINING COMMISSION UNDER TITLE 8, SUBTITLE 2 OF THE CORRECTIONAL SERVICES ARTICLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.**