

Chapter 49

(House Bill 1002)

AN ACT concerning

**Unemployment Insurance – Insurance Revisions and Required Study and
Special Enrollment Period for Health Benefits**

FOR the purpose of requiring the Maryland Health Benefit Exchange to open a certain enrollment period for an individual who consents to share information through a certain system; establishing certain requirements for a certain enrollment period; authorizing the Maryland Health Benefit Exchange to conduct outreach to a certain individual using certain methods; requiring the Maryland Department of Labor to take certain actions to carry out the State’s unemployment insurance law; requiring the Maryland Department of Labor to begin implementing a system through which claimants may consent to the sharing of certain information with the Maryland Health Benefit Exchange and the Maryland Department of Health for the purpose of determining eligibility for certain health insurance; requiring the Maryland Department of Labor to enter into a certain memorandum of understanding with the Maryland Health Benefit Exchange and the Maryland Department of Health before a certain system begins to operate; requiring that a certain consent request be placed in a certain manner on the weekly claim certification form in a certain manner and using certain language; requiring the Maryland Department of Labor to cooperate with certain other agencies to claim the maximum amount of certain available federal funding the Maryland Health Benefit Exchange and the Maryland Department of Health for a certain purpose; authorizing, for the purpose of implementing a certain system in a certain manner, the Maryland Department of Labor, the Maryland Health Benefit Exchange, and the Maryland Department of Health to take certain actions; requiring the Maryland Department of Labor to report to a certain committee of the General Assembly on or before a certain date each year; requiring the Maryland Department of Labor to provide certain information regarding certain unemployment insurance recipients to a chief elected official of a county on request and for certain purposes; authorizing a chief elected official of a county to share certain information with the governing body of the county and to request certain information on behalf of a certain political subdivision and provide the information to the political subdivision; authorizing the Maryland Department of Labor to adopt certain regulations; requiring the Secretary of Labor to waive the charge of benefits against the earned rating record of an employing unit under certain circumstances related to COVID-19; providing that the waiver may apply only to certain benefits; altering the maximum amount of wages disregarded when computing the weekly benefit amount to be paid to a claimant; requiring the Maryland Department of Labor to conduct a certain study in collaboration with the Office of the Attorney General and the Maryland Department of Health; requiring the Maryland Department of Labor to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date altering the information of which the Secretary of Labor is required to notify a

claimant if the Secretary decides to recover benefits from the claimant under certain provisions of law; requiring the Secretary to allow a claimant to appeal a certain determination within a certain period of time; requiring the Maryland Department of Labor to submit to the General Assembly a certain report on or before a certain date; requiring the Maryland Department of Labor, on or before a certain date, to identify all changes in federal regulations and guidance that would expand access to unemployment benefits or reduce bureaucratic hurdles to prompt approval of unemployment benefits; requiring the Maryland Department of Labor, on or before a certain date, to revise State unemployment insurance rules and practices for a certain purpose; making this Act an emergency measure; and generally relating to unemployment insurance.

BY adding to

Article – Insurance

Section 31–108(h)

Annotated Code of Maryland

(2017 Replacement Volume and 2020 Supplement)

BY adding to

Article – Labor and Employment

Section 8–109 *and* 8–110

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–809(a) and (b)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section ~~8–611(k) and 8–803(d)~~ 8–809(c)

Annotated Code of Maryland

(2016 Replacement Volume and 2020 Supplement)

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

Article – Insurance

31–108.

(H) (1) THE EXCHANGE SHALL OPEN A SPECIAL OR OTHER ENROLLMENT PERIOD FOR AN INDIVIDUAL WHO CONSENTS TO SHARE INFORMATION THROUGH

THE SYSTEM IMPLEMENTED IN ACCORDANCE WITH § 8-109(B)(1) OF THE LABOR AND EMPLOYMENT ARTICLE.

(2) THE ENROLLMENT PERIOD OPENED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) APPLY TO QUALIFIED HEALTH PLANS OFFERED THROUGH THE EXCHANGE IN THE INDIVIDUAL MARKET;

(II) BEGIN ON THE DATE THE EXCHANGE SENDS NOTICE TO THE INDIVIDUAL;

(III) LAST FOR A PERIOD OF TIME DETERMINED BY THE EXCHANGE AND THAT IS AT LEAST 30 DAYS; AND

(IV) BE AVAILABLE TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION AND TO THE INDIVIDUAL’S DEPENDENT AS DEFINED IN 45 C.F.R. § 155.420.

(3) THE EXCHANGE MAY CONDUCT OUTREACH TO AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION USING METHODS THAT INCLUDE:

(I) WRITTEN NOTICES;

(II) CONTACT THROUGH TELEPHONIC AND ELECTRONIC MEANS; AND

(III) THE PROVISION OF INDIVIDUALIZED ASSISTANCE BY INSURANCE AGENTS AND BROKERS, NAVIGATORS, AND EXCHANGE CONTRACTORS AND STAFF.

Article – Labor and Employment

8-109.

(A) IN CARRYING OUT THE REQUIREMENTS OF THIS TITLE, THE DEPARTMENT SHALL:

(1) ~~ENSURE~~ ENSURE SECURE EQUAL ACCESS FOR INDIVIDUALS BY:

(I) ENSURING THAT AN INDIVIDUAL CONTACTING THE DEPARTMENT HAS ADEQUATE AND TIMELY ACCESS TO LANGUAGE ~~AND~~, INTERPRETIVE, AND TRANSLATION SERVICES;

(II) FOR INDIVIDUALS WITH DISABILITIES:

1. INCORPORATING ACCESSIBILITY FEATURES THAT ARE CONSISTENT WITH MODERN ACCESSIBILITY STANDARDS FOR INDIVIDUALS WITH DISABILITIES; AND

2. PROVIDING NOTICE OF ALTERNATIVE ACCESSIBILITY OPTIONS FOR ACCESSING BENEFITS, SERVICES, AND INFORMATION IN MULTIPLE FORMATS; AND

(III) CONSPICUOUSLY PROVIDING CLAIMANTS WITH THE OPTION TO SELECT AT THE BEGINNING OF THE APPLICATION FOR UNEMPLOYMENT INSURANCE BENEFITS PROCESS THAT PAPER-BASED NOTICES OF DEPARTMENT ACTION BE SENT BY MAIL;

~~(2) ENSURE THAT CALL CENTER STAFFING IS ADEQUATE TO ALLOW AN INDIVIDUAL TO REACH A DEPARTMENTAL EMPLOYEE OR CONTRACTOR TO ASK QUESTIONS;~~

~~(3) ESTABLISH SYSTEMS AND PROCEDURES THAT ENSURE THAT AN INDIVIDUAL DOES NOT NEED TO WAIT ON HOLD BEFORE BEING OFFERED AN OPPORTUNITY TO LEAVE A PHONE NUMBER TO RECEIVE A CALL BACK;~~

~~(4) ENSURE THAT PHONE CALLS MADE BY DEPARTMENT STAFF AND CONTRACTORS APPEAR ON CALLER ID AS ORIGINATING FROM THE DEPARTMENT;~~

~~(5) ENSURE THAT VOICEMAIL MESSAGES LEFT BY DEPARTMENT STAFF OR CONTRACTORS INCLUDE CLEAR INSTRUCTIONS FOR NEXT STEPS, INCLUDING A CALL BACK NUMBER OTHER THAN THE GENERAL NUMBER FOR UNEMPLOYMENT INSURANCE ASSISTANCE;~~

~~(6) ESTABLISH PROCEDURES THAT REQUIRE ATTEMPTS BY THE DEPARTMENT TO CONTACT AN INDIVIDUAL RELATED TO A CLAIM FOR BENEFITS TO BE TIMED IN SUCH A WAY THAT THE CALLS OCCUR OVER CONSECUTIVE AND MULTIPLE DAYS;~~

(2) ESTABLISH PROCEDURES THAT REQUIRE AN INDIVIDUAL WHO HAS FILED AN INITIAL CLAIM FOR BENEFITS TO BE PROVIDED WITH A STATUS UPDATE ON THE CLAIM BY DEPARTMENT STAFF OR CONTRACTORS THROUGH TELEPHONE OR E-MAIL AT LEAST ONCE EVERY 3 WEEKS UNTIL THE INITIAL BENEFITS ARE PAID OR THE INITIAL CLAIM IS DENIED, WHICHEVER OCCURS FIRST;

~~(7) (3) PERIODICALLY REVIEW AND REVISE FOR ON OR BEFORE JULY 1, EACH YEAR, BEGINNING IN 2021, AND EACH JULY 1 THEREAFTER, CONTRACT WITH AN EXTERNAL CUSTOMER SERVICE QUALITY EVALUATION VENDOR TO MEASURE:~~

~~(I) THE CLARITY AND ORGANIZATION OF ALL PUBLIC COMMUNICATIONS, INCLUDING MATERIALS POSTED ON THE DEPARTMENT'S WEBSITE OR MOBILE APPLICATION;~~

~~(II) THE ACHIEVEMENT OF THE CUSTOMER SERVICE STANDARDS REQUIRED UNDER THIS SUBSECTION AND THE DEPARTMENT'S PLAN TO IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION; AND~~

~~(III) OTHER CUSTOMER SERVICE METRICS THAT THE DEPARTMENT OR AND THE VENDOR AGREE ARE IMPORTANT;~~

~~(8) (4) ENSURE THAT THE APPLICATION FOR UNEMPLOYMENT INSURANCE BENEFITS EXPLICITLY INFORMS AND CONVENIENTLY PROVIDES APPLICANTS OF THE RIGHT TO REQUEST BENEFITS IN THE FORM OF A PAPER CHECK AND PROVIDES A MECHANISM TO MAKE THE REQUEST WITH THE ABILITY TO SELECT THE METHOD OF PAYMENT;~~

~~(9) ENSURE THAT AN APPLICANT IS INFORMED OF THE AVAILABILITY TO AUTOMATICALLY TRANSFER FUNDS INTO A PERSONAL CHECKING ACCOUNT AND PROVIDE A MECHANISM TO MAKE THE REQUEST;~~

~~(10) (5) ESTABLISH SYSTEMS, PROCESSES, AND PROCEDURES THAT ENABLE AN APPLICANT INDIVIDUAL FILING A CLAIM FOR BENEFITS TO TRACK THE STATUS OF A CLAIM, INCLUDING THE ANTICIPATED TIMELINE FOR THE RESOLUTION OF EACH PARTICULAR CLAIM;~~

~~(11) ENSURE THAT AN OVERPAYMENT NOTICE SENT TO A CLAIMANT INCLUDES INFORMATION REGARDING THE CAUSE OF THE OVERPAYMENT AND THE PERIOD DURING WHICH THE OVERPAYMENT OCCURRED;~~

~~(12) ESTABLISH AND MAINTAIN A PLAN TO:~~

~~(I) FILL ALL OPEN POSITIONS WITHIN THE DIVISION OF UNEMPLOYMENT INSURANCE IN A TIMELY MANNER; AND~~

~~(II) IMMEDIATELY FILL ALL POSITIONS WITHIN THE DIVISION OF UNEMPLOYMENT INSURANCE AND RAPIDLY EXPAND PERSONNEL IN RESPONSE TO A CRISIS;~~

~~(13)~~ **(6)** ESTABLISH AND MAINTAIN A PLAN FOR ONGOING INVESTMENT IN TECHNOLOGY;

~~(14)~~ **(7)** ESTABLISH STANDARDS FOR THE TIMELY PROCESSING OF CLAIMS FOR BENEFITS UNDER WHICH:

(I) 92% OF CLAIMS ARE COMPLETED WITHIN 21 DAYS AFTER THE RECEIPT OF THE INITIAL APPLICATION; AND

(II) 97% OF CLAIMS THAT REQUIRE ADJUDICATION ARE RESOLVED WITHIN 8 WEEKS AFTER THE RECEIPT OF THE INITIAL APPLICATION;

~~(15)~~ **(8)** ESTABLISH A SINGLE POINT OF CONTACT WITHIN THE DEPARTMENT TO OVERSEE AND PRIORITIZE THE RESOLUTION OF CLAIMS THAT HAVE NOT BEEN COMPLETED WITHIN 8 WEEKS; AND

~~(16)~~ **(9)** (I) TRACK THE PERCENTAGE OF LAID-OFF WORKERS WHO FILE FOR UNEMPLOYMENT INSURANCE BENEFITS;

(II) ESTABLISH A GOAL FOR AN UNEMPLOYMENT INSURANCE RECIPIENCY RATE; AND

(III) PUBLISH ON A QUARTERLY BASIS ON THE DEPARTMENT'S WEBSITE ~~AT LEAST ONCE PER MONTH;~~

~~1.~~ THE PERCENTAGE OF LAID-OFF WORKERS WHO ~~FILED~~ FILE FOR BENEFITS; AND

~~2.~~ THE RECIPIENCY RATE.

(B) (1) ON OR BEFORE SEPTEMBER 1, 2021, THE DEPARTMENT SHALL BEGIN IMPLEMENTING A SYSTEM THROUGH WHICH ~~A CLAIMANT~~ AN INDIVIDUAL WHO HAS FILED A CLAIM FOR BENEFITS MAY CONSENT, AS PART OF ANY WEEKLY CLAIM CERTIFICATION, TO THE SHARING OF RELEVANT COLLECTED INFORMATION BY THE DEPARTMENT WITH THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE MARYLAND DEPARTMENT OF HEALTH TO DETERMINE WHETHER THE INDIVIDUAL QUALIFIES FOR FREE OR LOW-COST HEALTH INSURANCE AND, IF SO, TO HELP THE INDIVIDUAL ENROLL.

(2) BEFORE THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION BEGINS TO OPERATE, THE DEPARTMENT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE MARYLAND DEPARTMENT OF HEALTH THAT ENABLES THE

SYSTEM TO OPERATE IN COMPLIANCE WITH ALL APPLICABLE STATE AND FEDERAL AND STATE REQUIREMENTS RELATED TO PRIVACY, DATA SECURITY, AND FUNDING.

(3) THE CONSENT REQUEST DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PROMINENTLY PLACED ON THE WEEKLY CLAIM CERTIFICATION FORM, USING LANGUAGE THAT CAN BE EASILY UNDERSTOOD BY THE MAJORITY OF INDIVIDUALS WHO QUALIFY FOR BENEFITS.

(4) THE DEPARTMENT SHALL COOPERATE WITH THE MARYLAND HEALTH BENEFIT EXCHANGE AND THE MARYLAND DEPARTMENT OF HEALTH TO CLAIM THE MAXIMUM AMOUNT OF AVAILABLE FEDERAL FUNDING FOR THE ESTABLISHMENT AND OPERATION OF THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

(5) TO FACILITATE THE MOST EFFICIENT IMPLEMENTATION OF THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT, THE MARYLAND HEALTH BENEFIT EXCHANGE, AND THE MARYLAND DEPARTMENT OF HEALTH MAY:

(I) ENTER INTO AGREEMENTS;

(II) ADOPT REGULATIONS;

(III) ADOPT GUIDELINES;

(IV) ESTABLISH ACCOUNTS;

(V) CONDUCT TRAININGS;

(VI) PROVIDE PUBLIC INFORMATION; AND

(VII) TAKE ANY OTHER STEPS AS MAY BE NECESSARY TO ACCOMPLISH THE PURPOSE OF THE SYSTEM DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

(C) ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION.

8-110.

(A) ON REQUEST AND FOR PURPOSES CONSISTENT WITH CHAPTER 65 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2021, THE DEPARTMENT SHALL PROVIDE

TO THE CHIEF ELECTED OFFICIAL OF A COUNTY DEMOGRAPHIC DATA AND THE ADDRESSES, OCCUPATIONS, AND LAST KNOWN EMPLOYERS OF UNEMPLOYMENT INSURANCE RECIPIENTS WHO LIVE IN THE COUNTY OF THE CHIEF ELECTED OFFICIAL.

(B) A CHIEF ELECTED OFFICIAL OF A COUNTY MAY:

(1) SHARE THE INFORMATION PROVIDED TO THE CHIEF ELECTED OFFICIAL UNDER SUBSECTION (A) OF THIS SECTION WITH THE GOVERNING BODY OF THE COUNTY; AND

(2) REQUEST INFORMATION UNDER SUBSECTION (A) OF THIS SECTION ON BEHALF OF A POLITICAL SUBDIVISION WITHIN THE COUNTY AND PROVIDE THE INFORMATION TO THE POLITICAL SUBDIVISION.

(C) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS THAT:

(1) ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE NAMES OF UNEMPLOYMENT INSURANCE RECIPIENTS MAY BE INCLUDED IN THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) ARE NECESSARY TO PROTECT THE PERSONALLY IDENTIFIABLE INFORMATION OF UNEMPLOYMENT INSURANCE RECIPIENTS.

~~§ 611.~~

~~(k) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE Secretary may waive the charge of benefits paid to a claimant against the earned rating record of an employing unit if:~~

~~(i) the benefits are paid to the claimant during a period in which the claimant is temporarily unemployed because the employing unit shut down due to a natural disaster; and~~

~~(ii) the Governor declared a state of emergency due to the natural disaster.~~

~~(2) If the Secretary waives the charge of benefits under paragraph (1) of this subsection, the waiver may be in effect only until the earlier of:~~

~~(i) 4 months after the natural disaster; or~~

~~(ii) the date the employing unit reopens.~~

~~(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE SECRETARY SHALL WAIVE THE CHARGE OF BENEFITS PAID TO A CLAIMANT AGAINST THE EARNED RATING RECORD OF AN EMPLOYING UNIT IF THE BENEFITS WERE PAID TO THE CLAIMANT DURING A PERIOD IN WHICH, DUE TO THE COVID-19 PANDEMIC:~~

~~(I) THE GOVERNOR HAD DECLARED A STATE OF EMERGENCY; AND~~

~~(II) THE CLAIMANT IS OR WAS TEMPORARILY UNEMPLOYED BECAUSE THE EMPLOYING UNIT SHUT DOWN OR MODIFIED OPERATIONS.~~

~~(4) IF THE SECRETARY WAIVES THE CHARGE OF BENEFITS UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE WAIVER MAY APPLY ONLY TO BENEFITS PAID BEFORE THE EARLIER OF:~~

~~(I) 6 MONTHS AFTER THE END OF A STATE OF EMERGENCY RELATED TO THE COVID-19 PANDEMIC; OR~~

~~(II) THE DATE THE EMPLOYING UNIT FULLY REOPENS.~~

~~§ 803.~~

~~(d) (1) Except as provided in § 8-1207 of this title for the work sharing program and § 8-1604 of this title for the Self-Employment Assistance Program, an eligible claimant shall be paid a weekly benefit amount that is computed by:~~

~~(i) determining the claimant's weekly benefit amount under this section;~~

~~(ii) adding any allowance for a dependent to which the claimant is entitled under § 8-804 of this subtitle; and~~

~~(iii) subtracting any wages exceeding [\$50] \$300 payable to the claimant for the week.~~

~~(2) In computing benefits under this subsection, a fraction of a dollar shall be rounded to the next lower dollar.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) The Maryland Department of Labor, in collaboration with the Office of the Attorney General and the Joint Committee on Unemployment Insurance Oversight, shall conduct a study related to the unemployment insurance program in the State.~~

~~(b) The study shall:~~

~~(1) examine expanding eligibility for unemployment insurance to include individuals who leave their job:~~

~~(i) for family reasons, including accompanying a spouse to a new work location or to fulfill a caregiving obligation; or~~

~~(ii) due to job schedule volatility;~~

~~(2) examine changes to the experience rating process;~~

~~(3) examine reducing or suspending the impact on an employer's experience rating when the employer establishes a work sharing agreement with the Maryland Department of Labor under Title 8, Subtitle 12 of the Labor and Employment Article;~~

~~(4) (i) examine whether the State is appropriately applying the definition of "employee" to cover seasonal, temporary, and gig economy workers; and~~

~~(ii) if needed, identify changes to law or establishing a new benefits program to assist all seasonal, temporary, or gig economy workers;~~

~~(5) examine increasing the maximum weekly benefit amount;~~

~~(6) examine automatically increasing the maximum weekly benefit amount based on inflation or wage growth;~~

~~(7) examine changes to the dependent allowance, including allowing the dependent allowance to be added to the maximum weekly benefit;~~

~~(8) examine automatically increasing the dependent allowance based on inflation or wage growth; and~~

~~(9) examine establishing clear standards for when an employee is entitled to claim unemployment insurance benefits if the employee:~~

~~(i) leaves a job due to unsafe working conditions;~~

~~(ii) leaves a job in order to guard against an unreasonable risk of infection;~~

~~(iii) is terminated for refusing to work under unsafe work conditions;~~

~~or~~

~~(iv) declines to accept work due to unsafe work conditions.~~

~~(e) In conducting the study, the Maryland Department of Labor shall examine and consider any report or recommendation made by the National Academy of Social Insurance Unemployment Insurance Task Force of 2021.~~

~~(d) On or before December 1, 2021, the Department shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the Senate Finance Committee, the House Economic Matters Committee, and the Joint Committee on Unemployment Insurance Oversight.~~

8-809.

(a) The Secretary may recover benefits paid to a claimant if the Secretary finds that the claimant was not entitled to the benefits because:

(1) the claimant was not unemployed;

(2) the claimant received or retroactively was awarded wages; or

(3) due to a redetermination of an original claim by the Secretary, the claimant is disqualified or otherwise ineligible for benefits.

(b) If the Secretary finds that a claimant knowingly made a false statement or representation or knowingly failed to disclose a material fact to obtain or increase a benefit or other payment under this title, in addition to disqualification of the claimant, the Secretary may recover from the claimant:

(1) all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact;

(2) a monetary penalty of 15% of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact; and

(3) interest of 1.5% per month on the amount of all benefits paid to the claimant for each week for which the false statement or representation was made or for which the claimant failed to disclose a material fact plus the amount of the monetary penalty accruing from the date that the claimant is notified by the Secretary that the claimant was not entitled to benefits received.

(c) (1) If the Secretary decides to recover benefits from a claimant under subsection (a) or (b) of this section, the Secretary shall notify the claimant of:

[(1)] (1) the amount to be recovered; AND

(II) THE BASIS FOR THE RECOVERY OF BENEFITS, INCLUDING ANY EVIDENCE THAT THE SECRETARY USED TO MAKE THE DETERMINATION;

[(2)] (III) the weeks for which benefits were paid;

[(3)] (IV) the amount of any monetary penalty assessed under subsection (b)(2) of this section and the reason for the assessment of the monetary penalty; [and]

[(4)] (V) the provision of this title under which the Secretary determined that the claimant was ineligible for benefits; AND

~~(VII)~~ (VI) THE APPEAL RIGHTS AVAILABLE TO A CLAIMANT.

(2) THE SECRETARY SHALL ALLOW A CLAIMANT TO APPEAL A DETERMINATION REGARDING THE RECOVERY OF BENEFITS WITHIN 30 DAYS AFTER THE MAILING OR OTHER DELIVERY OF THE NOTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2021, the Maryland Department of Labor shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, a detailed, comprehensive, and funded plan to ensure that call center staffing is adequate to allow an individual to reach a departmental employee or contractor to ask questions.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before June 1, 2021, the Maryland Department of Labor shall identify all changes in federal regulations and guidance that would expand access to unemployment benefits or reduce bureaucratic hurdles to prompt approval of unemployment benefits.

(b) On or before July 1, 2021, the Maryland Department of Labor shall revise State unemployment insurance rules and practices to encompass any changes in federal regulations and guidance.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 9, 2021.