# **HOUSE BILL 158**

O25lr0040 (PRE-FILED) CF SB 223

## By: Chair, Health and Government Operations Committee (By Request -Departmental - Aging)

Requested: September 28, 2024

Introduced and read first time: January 8, 2025 Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 11, 2025

CHAPTER

#### 1 AN ACT concerning

### 2 Department of Aging - Social Connections Program - Establishment 3 Senior Call-Check and Social Connections Program

- FOR the purpose of renaming the Senior Call-Check Service and Notification Program to 4 be the Senior Call-Check and Social Connections Program; repealing altering 5 6 certain provisions of law related to the Senior Call-Check Service and Notification 7 Program; establishing the Social Connections Program to provide certain 8 communication to eligible older adults to promote wellness and purposeful social 9 engagement; authorizing the integration of services between the Program and Telecommunications Access of Maryland; authorizing the Department of Aging and 10 the Department of Disabilities to collaborate on developing the Program budget: and 11 generally relating to the Department of Aging and the Senior Call-Check and Social 12 Connections Program. 13
- BY repealing and reenacting, with amendments, 14
- Article State Finance and Procurement 15
- Section 3.5–701 and 3.5–702 to be under the amended subtitle "Subtitle 7. Senior 16 17
  - Call-Check and Social Connections Program"
- Annotated Code of Maryland 18
- (2021 Replacement Volume and 2024 Supplement) 19

#### 20 BY repealing and reenacting, with amendments,

Article - Human Services

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 2 3	(2019 Replacement Volume and 2024 Supplement)  BY repealing and reenacting, without amendments,  Article – Human Services Section 7–806(b) and (c)  Annotated Code of Maryland										
4 5 6 7 8											
9 10	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:										
11	Article - State Finance and Procurement										
12 13	· · · · · · · · · · · · · · · · · · ·										
14	3.5–701.										
15	(a) In this subtitle the following words have the meanings indicated.										
16 17	(b) "Eligible participant" means a resident of the State who is <b>\{\frac{1}{2}\}</b> at least <b>\frac{65}{2}</b> years old <b>\{\frac{1}{2}\}</b> AN OLDER ADULT WHO:										
18	(1) IS AT RISK OF SOCIAL ISOLATION; AND										
19 20	(2) WOULD BENEFIT FROM ADDITIONAL PURPOSEFUL SOCIAL ENGAGEMENT AND WELLNESS CHECKS.										
21 22 23	(c) "Person of record" includes a local law enforcement unit or other local government agency <b>OR A DESIGNEE OF THE PARTICIPANT</b> that chooses to participate in the Program.										
24 25	(d) "Program" means the <b>[</b> Senior Call–Check <del>Service and Notification]</del> <b>AND SOCIAL CONNECTIONS</b> Program.										
26 27 28 29 30 31	<b>[</b> (e) (1) "Senior call-check service and notification AND SOCIAL CONNECTIONS" means a telephone call made or received each day at a regularly scheduled time by REGULAR, DIRECT COMMUNICATION FROM the Department of Aging or the Department of Aging's designee to the residence of an eligible participant to verify that the participant is able to receive notifications and answer the telephone or place a call from the telephone.										
32 33	(2) "Senior call–check <del>service and notification</del> <u>AND SOCIAL</u> <u>CONNECTIONS</u> " includes:										

1	(i) an automated or live telephone call <b>OR OTHER DIRECT</b>										
2											
3	participant at a regularly scheduled time each day;										
0	participant at a regularity scheduled time each day,										
4	(ii) if the eligible participant does not answer or <del>place</del> <b>INITIATE</b> the										
5	regularly scheduled call <b>OR OTHER DIRECT COMMUNICATION</b> and the Secretary of Aging										
6	designs the Program to require this action, one or more automated or live telephone calls										
7	OR OTHER DIRECT COMMUNICATIONS to the eligible participant;										
•	of other bires commentations to the engine participant,										
8	(iii) if the eligible participant does not answer a telephone call <b>OR</b>										
9	OTHER DIRECT COMMUNICATION made under item (ii) of this paragraph, an additional										
10											
11	of record whose name has been provided to the Department of Aging; and										
12	(iv) a notification to the eligible participant regarding information										
13	that the Secretary of Aging has determined to be relevant.										
14	(E) (F) "REGULAR, DIRECT COMMUNICATION" MEANS REGULAR										
15	INTERACTIONS INITIATED OR RECEIVED BY THE DEPARTMENT OF AGING OR THE										
16	DEPARTMENT'S DESIGNEE THAT:										
10	DEFARTMENT 5 DESIGNEE THAT.										
17	(1) MAY INCLUDE TELEPHONE CALLS, TEXT MESSAGES, AND										
18	WEB-BASED, VIRTUAL, VIDEO, OR IN-PERSON COMMUNICATIONS, AND OTHER										
19	FORMS OF COMMUNICATION APPROVED BY THE DEPARTMENT; AND										
20	(2) ARE ACCESSIBLE TO ELIGIBLE PARTICIPANTS WITH DISABILITIES.										
21	(F) (G) "VILLAGE" MEANS LOCAL, VOLUNTEER-LED ORGANIZATIONS										
22	THAT AIM TO SUPPORT COMMUNITY MEMBERS WHO CHOOSE TO AGE IN PLACE,										
23	INCLUDING BY:										
24	(1) ORGANIZING EVENTS; AND										
25	(2) FOSTERING SOCIAL CONNECTIONS THROUGH ACTIVITIES AND										
26	COORDINATING VOLUNTEER HELP AT HOME USING THE										
27	NEIGHBOR-HELPING-NEIGHBOR MODEL.										
	1,										
28	3.5–702.										
29	₹(a) The Department of Aging shall:										
30	(1) establish and administer the Program to provide senior call-check										
	(1) Colored and administration of provide solution and circum										

 $\underline{\textbf{service and notification}} \; \underline{\textbf{AND SOCIAL CONNECTIONS}} \; to \; eligible \; participants; \; and \;$ 

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1 (2) adopt regulations necessary to implement the Program.

## 2 (A) THERE IS A SOCIAL CONNECTIONS PROGRAM.

- 3 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE REGULAR, DIRECT 4 COMMUNICATION FROM THE DEPARTMENT OF AGING OR THE DEPARTMENT'S 5 DESIGNEE TO AN ELIGIBLE PARTICIPANT TO PROMOTE WELLNESS AND 6 PURPOSEFUL SOCIAL ENGAGEMENT.
- 7 (C) THE DEPARTMENT OF AGING SHALL ESTABLISH AND ADMINISTER THE 8 PROGRAM.

### 9 <del>THE PROGRAM INCLUDES:</del>

- 10 (1) AN AUTOMATED OR LIVE TELEPHONE CALL PLACED BY AN
  11 ELIGIBLE PARTICIPANT OR RECEIVED BY AN ELIGIBLE PARTICIPANT OR ANOTHER
  12 REGULAR, DIRECT COMMUNICATION TO AN ELIGIBLE PARTICIPANT;
- 13 (2) IF THE ELIGIBLE PARTICIPANT DOES NOT RESPOND DIRECTLY TO
  14 THE REGULAR, DIRECT COMMUNICATION, A FOLLOW—UP DIRECT COMMUNICATION
  15 TO THE ELIGIBLE PARTICIPANT AND NOTIFICATION TO A PERSON OF RECORD
  16 WHOSE NAME HAS BEEN PROVIDED TO THE DEPARTMENT OF AGING; AND
- 17 (3) A NOTIFICATION TO THE ELIGIBLE PARTICIPANT REGARDING
  18 INFORMATION THAT THE DEPARTMENT OF AGING HAS DETERMINED TO BE
  19 RELEVANT.
- 20 (E) (C) THE DEPARTMENT OF AGING SHALL INTEGRATE SERVICES WITH
  21 THE TELECOMMUNICATIONS ACCESS OF MARYLAND PROGRAM ESTABLISHED
  22 UNDER § 7–902 OF THE HUMAN SERVICES ARTICLE BY PROMOTING AWARENESS OF
  23 THE AVAILABILITY OF ACCESSIBLE TELECOMMUNICATIONS EQUIPMENT AND USING
  24 EDUCATIONAL OUTREACH MATERIALS PRODUCED BY THE TELECOMMUNICATIONS
  25 ACCESS OF MARYLAND PROGRAM.
- [(b)] (F) (D) (1) The Department of Aging may [contract] ENTER INTO AGREEMENTS OR CONTRACTS AS APPROPRIATE with a private vendor [or], A nonprofit organization, A VILLAGE INCORPORATED IN AND SERVING OLDER ADULTS IN THE STATE, AN AREA AGENCY ON AGING, OR ANY OTHER PERSON to provide [the senior call—check service and notification required under subsection (a) of this section] PROGRAM SERVICES.
- 32 (2) THE DEPARTMENT OF AGING MAY ENTER INTO INTERAGENCY 33 AGREEMENTS WITH OTHER STATE OR LOCAL GOVERNMENTAL ENTITIES TO PROVIDE PROGRAM SERVICES.

1 2 3	(3) THE DEPARTMENT OF AGING MAY ACCEPT FUNDS PROVIDED BY OTHER PUBLIC AND PRIVATE SOURCES, INCLUDING GIFTS AND GRANTS TO BE USED TO PROVIDE PROGRAM SERVICES.
4 5	[(c)] (E) (1) The State Tort Claims Act and the Local Government Tort Claims Act, as appropriate, apply to a State or local unit and to an employee or agent of a
6 7	State or local unit that participates in the Program for services the unit or person provides under the Program in accordance with regulations of the Department of Aging.
8	(2) A person of record [and], A PRIVATE VENDOR, A NONPROFIT
9 10	ORGANIZATION, A VILLAGE INCORPORATED IN AND SERVING OLDER ADULTS IN THE STATE, AN AREA AGENCY ON AGING, ANY OTHER ENTITY UNDER AN AGREEMENT OR
11	CONTRACT WITH THE DEPARTMENT, OR a volunteer may not be liable for reasonable
12	acts or omissions directly arising from services [the person provides] PROVIDED under the
13	Program in accordance with regulations of the Department of Aging.
14	(H) THE DEPARTMENT OF AGING MAY ADOPT REGULATIONS THAT INCLUDE
15	POLICY GUIDANCE AND PROGRAM STANDARDS AS NECESSARY TO IMPLEMENT THE
16	PROGRAM.
17	Article - Human Services
18	<del>7-806.</del>
19	(a) (1) Subject to paragraph (2) of this subsection, the programs under §
20	7-804(a) of this subtitle, § 7-902(a) of this title, and § 3.5-702 of the State Finance and
21	Procurement Article shall be funded as provided in the State budget.
22	(2) For fiscal year 2019 and each fiscal year thereafter, the program under
23	§ 3.5-702 of the State Finance and Procurement Article shall be funded at an amount that:
24	(i) is equal to the cost that the Department of Aging is expected to
25	incur for the upcoming fiscal year to provide the service and administer the program; [and]
26	(ii) does not exceed 5 cents per month for each account out of the
27	surcharge amount authorized under subsection (e) of this section; AND
28	(III) IS BASED ON A BUDGET DEVELOPED BY THE DEPARTMENT
29	OF AGING IN COLLABORATION WITH THE DEPARTMENT OF DISABILITIES AND IN
30	CONSIDERATION OF THE FISCAL NEEDS OF THE PROGRAMS FUNDED THROUGH THE
31	SURCHARGES PAID UNDER SUBSECTION (C) OF THIS SECTION.

(b) (1) There is a Universal Service Trust Fund created for the purpose of paying the costs of maintaining and operating the programs under:

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$\frac{1}{2}$	(i) § 7–804(a) of this subtitle, subject to the limitations and control provided in this subtitle;
3 4	(ii) § 7–902(a) of this title, subject to the limitations and control provided in Subtitle 9 of this title; and
5 6 7	(iii) § 3.5-702 of the State Finance and Procurement Article, subject to the limitations and controls provided in Title 3.5, Subtitle 7 of the State Finance and Procurement Article.
8 9	(2) Money in the Universal Service Trust Fund shall be held in the State Treasury.
10	(3) Money in the Universal Service Trust Fund may only be used:
11 12	(i) to fund the costs of the programs specified in paragraph (1) of this subsection; and
13 14	(ii) to pay for the administration of the Universal Service Trus
15 16 17	(e) (1) The costs of the programs under § 7–804(a) of this subtitle, § 7–902(a of this title, and § 3.5–702 of the State Finance and Procurement Article shall be funded by revenues generated by:
18 19	(i) a surcharge to be paid by the subscribers to a communication service; and
20	(ii) other funds as provided in the State budget.
21 22 23	(2) (i) The surcharge may not exceed 18 cents per month for each account and shall be applied to all current bills rendered for a communications service in the State.
24 25	(ii) The surcharge is payable at the time the bills for communications service are due.
26 27 28	(3) The surcharge to be collected under this section applies only to communications service for which charges are billed by, or on behalf of, a communication company to a subscriber of the communications service.
29 30 31	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any estate of a decedent who died before the effective date of this Act.

SECTION October 1, 2025.	3.	AND	BE	IT	FURTHER	ENACTED,	That t	this A	Act	shall	take	effect
1, 2020.												
Approved:												
									G	overn	or.	
						Speaker of	the Ho	use o	f De	elegat	es.	
						]	Preside	nt of	the	Sena	te.	