



576 Johnsville Road  
Sykesville, MD 21784

**TO:** Finance Committee  
**FROM:** LeadingAge Maryland  
**SUBJECT:** Senate Bill 230, Residential Service Agencies - Employee Registry  
**DATE:** February 9, 2023  
**POSITION:** Unfavorable

LeadingAge Maryland opposes Senate Bill 230, Residential Service Agencies - Employee Registry.

LeadingAge Maryland is a community of more than 140 not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. Our mission is to expand the world of possibilities for aging in Maryland. We partner with consumers, caregivers, researchers, public agencies, faith communities and others who care about aging in Maryland.

This bill requires the Maryland Department of Health (MDH) to establish and maintain a registry of each employee of a residential service agency (RSA) who provides home health care. RSAs must submit identifying information to MDH on a quarterly basis. Further, this bill requires MDH to disclose the registry to a labor union or similar employee organization on request.

LeadingAge Maryland opposes for the following reasons:

1. New Administrative Burden: Filing quarterly reports updating employee information through MDH will be a new administrative burden at a time RSAs least have the capacity.
2. Victim of Crime: Senate Bill 230 prohibits an RSA from collecting, maintaining or submitting information “regarding an employee” who has been the victim of specified crimes (page 2, line 16). This provision creates a “Catch-22.” The bill requires RSAs to report the required employee information but states that RSAs cannot collect, maintain or

submit information on an employee who is the victim of a specified crime. Theoretically, an RSA would need to inquire with the employee if he/she falls into the exception to determine whether to submit their name and information to the Department, a scenario that would surely violate privacy laws.

3. Violates Existing Law: Section 4-501 of the General Provisions Article of the Maryland Code prohibits a third party from collecting personal records unless it is appropriate and relevant to the purposes for which it is collected. Collection of this personal information to assist with unionizing RSAs is neither appropriate nor relevant.
4. Registry Access: SB 230 allows for registry access to employee unions. This provision is a transparent effort to unionize this segment of the workforce. LeadingAge Maryland has no objection to unions and the process behind unionization. However, we do not think the State should “tip the scales” and be a party to a non-public union campaign. Lastly, we question whether all employees of the State’s RSAs would want their identifying information in the hands of a third party.

For these reasons, LeadingAge Maryland respectfully requests an unfavorable report for Senate Bill 230.

For additional information, please contact Aaron J. Greenfield, 410.446.1992