

HOUSE BILL 820

J2

71r1984

By: **Delegates Boteler and Kach**

Introduced and read first time: February 9, 2007

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupation Boards – Determination of Job Classifications and Grades**
3 **for Staff**

4 FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from
5 determining certain job classifications and grades; establishing that certain
6 staff hired after a certain date are in the executive service or management
7 service or are special appointments; requiring certain health occupation boards
8 to determine certain job classifications and grades for certain staff; requiring
9 that the Department of Health and Mental Hygiene in conjunction with certain
10 health occupation boards issue a request for proposals for an independent
11 surveyor to conduct a certain survey on the salary, grades, recruitment, and
12 retention of certain staff; providing that the purpose of a certain survey is to
13 assist certain health occupation boards in determining certain job classifications
14 and grades; requiring that a certain request for proposals specify certain
15 information; requiring certain executive directors to review certain proposals
16 and select a certain surveyor; requiring that a certain survey provide certain
17 information; requiring that a certain cost be divided equally among certain
18 health occupation boards; providing for a delayed effective date; and generally
19 relating to the determination of job classifications and grades for staff by the
20 health occupation boards.

21 BY adding to
22 Article – Health Occupations
23 Section 1–203(c) and 1–214
24 Annotated Code of Maryland
25 (2005 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health Occupations**

4 1–203.

5 (C) EXCEPT AS PROVIDED IN § 14–204(D) OF THIS ARTICLE, THE
6 SECRETARY MAY NOT DETERMINE THE JOB CLASSIFICATIONS AND GRADES FOR
7 STAFF OF THE HEALTH OCCUPATION BOARDS.

8 1–214.

9 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT
10 AS PROVIDED IN § 14–204(D) OF THIS ARTICLE, THIS SECTION APPLIES TO EACH
11 HEALTH OCCUPATION BOARD AUTHORIZED TO ISSUE A LICENSE OR
12 CERTIFICATE UNDER THIS ARTICLE.

13 (B) EACH HEALTH OCCUPATION BOARD MAY EMPLOY A STAFF IN
14 ACCORDANCE WITH THE BUDGET OF THE BOARD.

15 (C) STAFF HIRED BY A HEALTH OCCUPATION BOARD AFTER
16 SEPTEMBER 30, 2008, ARE IN THE EXECUTIVE SERVICE OR MANAGEMENT
17 SERVICE OR ARE SPECIAL APPOINTMENTS IN THE STATE PERSONNEL
18 MANAGEMENT SYSTEM.

19 (D) EACH HEALTH OCCUPATION BOARD SHALL DETERMINE THE
20 APPROPRIATE JOB CLASSIFICATIONS AND GRADES FOR ALL STAFF.

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

22 (a) (1) In this section “health occupation board” means each regulatory
23 board authorized to license or certify under the Health Occupations Article.

24 (2) Except as specifically provided for in this section, “health
25 occupation board” does not include the State Board of Physicians.

26 (b) The Secretary of Health and Mental Hygiene, in conjunction with the
27 health occupation boards, shall issue a request for proposals for an independent salary
28 surveyor to conduct a survey of:

1 (1) the salaries and grades of staff for the health occupation boards;
2 and

3 (2) the recruitment and retention of staff for the health occupation
4 boards.

5 (c) The purpose of the survey conducted under this section is to assist the
6 health occupation boards in determining the appropriate job classifications and grades
7 for staff.

8 (d) At a minimum, the request for proposals shall specify:

9 (1) that the Department will contract with a surveyor that is
10 independent from the Department of Health and Mental Hygiene or the Department
11 of Budget and Management; and

12 (2) the objectives and goals of the survey.

13 (e) After receipt of proposals, the executive directors of the State Board of
14 Nursing, the State Board of Physical Therapy Examiners, the State Board of Podiatric
15 Medical Examiners, and the State Board of Social Workers shall review the proposals
16 and select an independent surveyor to conduct the survey.

17 (f) The survey shall provide:

18 (1) the current salaries and grades of each staff member at the health
19 occupation boards;

20 (2) the current number of complaints each investigative staff at the
21 health occupation boards is assigned;

22 (3) recent trends of recruitment and retention for staff at the health
23 occupation boards;

24 (4) a comparison of the information found in items (1) through (3) of
25 this subsection to the staff at the State Board of Physicians; and

26 (5) a comparison of the information found in items (1) through (3) of
27 this subsection to the staff at other State agencies with comparable responsibilities.

28 (g) The cost of this survey shall be divided equally among the health
29 occupation boards.

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
2 take effect October 1, 2008.

3 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
4 Section 3 of this Act, this Act shall take effect October 1, 2007.