

**HB0819/953326/1**

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 819, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB0819/163992/1), in line 15 of Amendment No. 1, strike “requiring” and substitute “providing that, under certain circumstances, work performed by certain independent contractors who are subject to certain agreements are exempt from covered employment for the purposes of unemployment insurance; providing that certain independent contractors subject or party to certain agreements are not covered employees for purposes of workers’ compensation; requiring”; and in line 18, strike “, 9-315.1,” and substitute “, 8-206(g), 9-237, 9-315.1,”.

AMENDMENT NO. 2

On page 23 of the bill, after line 32, insert:

“8-206.

**(G) WORK IS NOT COVERED EMPLOYMENT WHEN PERFORMED BY AN INDEPENDENT CONTRACTOR WHO PROVIDES HOME AND COMMUNITY-BASED SERVICES FOR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, IF THE SECRETARY IS SATISFIED THAT:**

**(1) THE INDIVIDUAL PROVIDING CARE IS SUBJECT TO OR PARTY TO AN AGREEMENT WITH A HOME CARE ENTITY LICENSED BY THE OFFICE OF HEALTH CARE QUALITY; AND**

**(2) THE AGREEMENT STATES EXPRESSLY THAT THE INDIVIDUAL PROVIDING CARE KNOWS:**

(Over)

(I) OF THE RESPONSIBILITY TO PAY STATE AND FEDERAL INCOME TAXES; AND

(II) THAT THE WORK IS NOT COVERED EMPLOYMENT FOR THE PURPOSES OF UNEMPLOYMENT INSURANCE.”.

AMENDMENT NO. 3

On page 13 of the Economic Matters Committee Amendments, in line 2 of Amendment No. 12, strike “9-315.1.” and substitute:

“9-237.

AN INDEPENDENT CONTRACTOR WHO PROVIDES HOME AND COMMUNITY-BASED SERVICES FOR THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, INCLUDING AN INDIVIDUAL PROVIDING CARE SUBJECT TO OR A PARTY TO AGREEMENTS WITH A HOME CARE ENTITY LICENSED BY THE OFFICE OF HEALTH CARE QUALITY, IS NOT A COVERED EMPLOYEE.

9-315.1.”.