

HOUSE BILL 1513

K4

9lr0193

By: **Chair, Appropriations Committee (By Request – Departmental – Health and Mental Hygiene)**

Introduced and read first time: March 5, 2009

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, March 9, 2009

Committee Report: Favorable

House action: Adopted

Read second time: March 25, 2009

CHAPTER _____

1 AN ACT concerning

2 **Employees' Retirement and Pension Systems – Reemployment of Retirees –**
3 **Health Care Practitioners**

4 FOR the purpose of repealing a certain reemployment limitation on certain retirees of
5 the Employees' Retirement and Pension Systems who are reemployed on a
6 contractual basis by the Department of Health and Mental Hygiene as health
7 care practitioners; and generally relating to the reemployment of retirees in the
8 Employees' Retirement and Pension Systems.

9 BY repealing and reenacting, with amendments,
10 Article – State Personnel and Pensions
11 Section 22–406(c)(4) and 23–407(c)(4)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2008 Supplement)

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

16 **Article – State Personnel and Pensions**

17 22–406.

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 (c) (4) Except for an individual whose allowance is subject to a reduction
2 as provided under paragraphs (1)(iii) and (3) of this subsection, the reduction of an
3 allowance under this subsection does not apply to:

4 (i) an individual who has been retired for 9 years, beginning on
5 January 1 after the date the individual retires;

6 (ii) an individual whose average final compensation was less
7 than \$10,000 and who is reemployed on a temporary or contractual basis;

8 (iii) an individual who is serving in an elected position as an
9 official of a participating governmental unit or as a constitutional officer for a county
10 that is a participating governmental unit;

11 (iv) a retiree of the Teachers' Retirement System:

12 1. who retired and was reemployed by a participating
13 employer other than the State on or before September 30, 1994; and

14 2. whose employment compensation does not derive, in
15 whole or in part, from State funds;

16 (v) a retiree of the Teachers' Retirement System who:

17 1. is or has been certified to teach in the State;

18 2. has verification of satisfactory or better performance
19 in the last assignment prior to retirement;

20 3. based on the retired teacher's qualifications, has been
21 appointed in accordance with § 4-103 of the Education Article; and

22 4. receives verification of satisfactory or better
23 performance each year the teacher is employed under paragraph (5) of this subsection;

24 (vi) a retiree of the Teachers' Retirement System who:

25 1. A. was employed as a principal within 5 years of
26 retirement; or

27 B. was employed as a principal not more than 10 years
28 before retirement and was employed in a position supervising principals in the
29 retiree's last assignment prior to retirement;

30 2. has verification of satisfactory performance for each
31 year as a principal and, if applicable, in a position supervising principals prior to
32 retirement;

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- 1 (iv) a retiree of the Teachers' Pension System who:
- 2 1. is or has been certified to teach in the State;
- 3 2. has verification of satisfactory or better performance
4 in the last assignment prior to retirement;
- 5 3. based on the retired teacher's qualifications, has been
6 appointed in accordance with § 4–103 of the Education Article; and
- 7 4. receives verification of satisfactory or better
8 performance each year the teacher is employed under paragraph (5) of this subsection;
- 9 (v) a retiree of the Teachers' Pension System who:
- 10 1. A. was employed as a principal within 5 years of
11 retirement; or
- 12 B. was employed as a principal not more than 10 years
13 before retirement and was employed in a position supervising principals in the
14 retiree's last assignment prior to retirement;
- 15 2. has verification of satisfactory performance for each
16 year as a principal and, if applicable, in a position supervising principals prior to
17 retirement;
- 18 3. based on the retiree's qualifications, has been hired as
19 a principal; and
- 20 4. receives verification of satisfactory performance each
21 year the retiree is employed as a principal under paragraph (6) of this subsection;
- 22 (vi) a retiree of the Employees' Pension System who is
23 reemployed on a contractual basis [for not more than 4 years] by the Department of
24 Health and Mental Hygiene as a health care practitioner, as defined in § 1–301 of the
25 Health Occupations Article in:
- 26 1. a State residential center as defined in § 7–101 of the
27 Health – General Article;
- 28 2. a chronic disease center subject to Title 19, Subtitle 5
29 of the Health – General Article;
- 30 3. a State facility as defined in § 10–101 of the
31 Health – General Article; or

