

HOUSE BILL 1263

C5

2lr0982
CF SB 458

By: **Delegates Kramer, Arora, Carr, DeBoy, Dumais, Frick, Howard,
McDonough, B. Robinson, Simmons, and Valderrama**

Introduced and read first time: February 10, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Senior Call-Check Service Program – Establishment**

3 FOR the purpose of establishing the Senior Call-Check Service Program; specifying
4 that a subscriber who meets certain requirements is eligible for the Program;
5 requiring the Public Service Commission to establish and maintain the
6 Program; limiting the Program to certain telephone companies; specifying a
7 sequence of telephone calls necessary to satisfy Program requirements;
8 authorizing local law enforcement to perform certain acts in connection with the
9 Program; requiring certain telephone companies to provide a certain service to
10 certain subscribers free of charge; authorizing certain telephone companies to
11 coordinate with certain entities that provide a certain service; authorizing the
12 Commission to adjust a certain rate; immunizing certain Program participants
13 from certain liability; requiring the Commission to consult with certain
14 departments in adopting regulations to implement the Program; authorizing the
15 Commission to limit subscriber eligibility based on income; defining certain
16 terms; and generally relating to telephone service and the Senior Call-Check
17 Service Program.

18 BY repealing and reenacting, without amendments,
19 Article – Public Utilities
20 Section 8-201(a)(1) and (2)
21 Annotated Code of Maryland
22 (2010 Replacement Volume and 2011 Supplement)

23 BY adding to
24 Article – Public Utilities
25 Section 8-207
26 Annotated Code of Maryland
27 (2010 Replacement Volume and 2011 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 – Public Utilities**

4 8–201.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Eligible subscriber” means an individual who is certified to a local
7 telephone company by the Department of Human Resources as receiving:

8 (i) assistance under Title 5, Subtitle 3 of the Human Services
9 Article;

10 (ii) assistance from the electric universal service program under
11 § 7–512.1 of this article;

12 (iii) assistance from the Maryland Energy Assistance Program
13 under Title 5, Subtitle 5A of the Human Services Article;

14 (iv) State–funded public assistance benefits; or

15 (v) Supplemental Security Income under Title XVI of the
16 federal Social Security Act.

17 **8–207.**

18 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
19 **MEANINGS INDICATED.**

20 **(2) “PROGRAM” MEANS THE SENIOR CALL–CHECK SERVICE**
21 **PROGRAM.**

22 **(3) “SENIOR CALL–CHECK SERVICE” MEANS A TELEPHONE CALL**
23 **MADE EACH DAY AT A REGULARLY SCHEDULED TIME BY A TELEPHONE**
24 **COMPANY TO THE RESIDENCE OF AN ELIGIBLE SUBSCRIBER TO VERIFY THAT**
25 **THE SUBSCRIBER IS ABLE TO ANSWER THE TELEPHONE.**

26 **(B) A RESIDENT OF THE STATE AT LEAST 65 YEARS OLD WHO MEETS**
27 **ANY INCOME QUALIFICATIONS SPECIFIED BY THE COMMISSION UNDER**
28 **SUBSECTION (F) OF THIS SECTION QUALIFIES FOR SENIOR CALL–CHECK**
29 **SERVICE.**

1 **(C) (1) THE COMMISSION SHALL ESTABLISH AND MAINTAIN THE**
2 **PROGRAM.**

3 **(2) AT THE DIRECTION OF THE COMMISSION, A LOCAL**
4 **TELEPHONE COMPANY WITH MORE THAN 10,000 SUBSCRIBERS SHALL OFFER TO**
5 **EACH ELIGIBLE SUBSCRIBER SENIOR CALL-CHECK SERVICE THAT INCLUDES:**

6 **(I) AN AUTOMATED OR LIVE TELEPHONE CALL AT A**
7 **REGULARLY SCHEDULED TIME EACH DAY;**

8 **(II) IF THE ELIGIBLE SUBSCRIBER DOES NOT ANSWER THE**
9 **REGULARLY SCHEDULED CALL, AN ADDITIONAL AUTOMATED OR LIVE**
10 **TELEPHONE CALL TO NOTIFY A RELATIVE WHOSE NAME HAS BEEN PROVIDED;**
11 **AND**

12 **(III) AN ADDITIONAL AUTOMATED OR LIVE TELEPHONE CALL**
13 **TO LOCAL LAW ENFORCEMENT IF:**

14 **1. NO RELATIVE HAS BEEN NAMED; OR**

15 **2. THE RELATIVE WHOSE NAME HAS BEEN PROVIDED**
16 **DOES NOT ANSWER THE NOTIFICATION CALL.**

17 **(3) LOCAL LAW ENFORCEMENT MAY REPORT TO THE RESIDENCE**
18 **OF AN ELIGIBLE SUBSCRIBER OR TAKE OTHER ACTION ON NOTIFICATION OF**
19 **THE UNANSWERED NOTIFICATION CALL.**

20 **(D) (1) A TELEPHONE COMPANY MAY NOT ASSESS A CHARGE AGAINST**
21 **AN ELIGIBLE SUBSCRIBER FOR SENIOR CALL-CHECK SERVICE.**

22 **(2) A TELEPHONE COMPANY MAY COORDINATE WITH ANOTHER**
23 **ENTITY THAT PROVIDES SENIOR CALL-CHECK SERVICE TO AN ELIGIBLE**
24 **SUBSCRIBER TO MINIMIZE COST TO THE TELEPHONE COMPANY.**

25 **(3) THE COMMISSION MAY ADJUST AN APPROPRIATE SERVICE**
26 **RATE TO ACCOUNT FOR INCREASED COST TO THE TELEPHONE COMPANY.**

27 **(E) ALL PROGRAM PARTICIPANTS, INCLUDING THE COMMISSION, A**
28 **TELEPHONE COMPANY, AND A VOLUNTEER-BASED ORGANIZATION, SHALL HAVE**
29 **IMMUNITY FROM LIABILITY FOR THE PERFORMANCE OR NONPERFORMANCE OF**
30 **SENIOR CALL-CHECK SERVICE.**

1 **(F) (1) IN CONSULTATION WITH THE DEPARTMENT OF AGING AND**
2 **THE DEPARTMENT OF STATE POLICE, THE COMMISSION SHALL ADOPT**
3 **REGULATIONS TO IMPLEMENT THE PROGRAM.**

4 **(2) THE COMMISSION MAY ADOPT REGULATIONS TO LIMIT**
5 **SUBSCRIBER ELIGIBILITY TO INDIVIDUALS MEETING THE DEFINITION OF AN**
6 **“ELIGIBLE SUBSCRIBER” UNDER § 8-201(A) OF THIS SUBTITLE.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2012.