

# SENATE BILL 458

C5

2lr2427  
CF 2lr0982

---

By: **Senator Kelley**

Introduced and read first time: February 2, 2012

Assigned to: Finance

---

## 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.**

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

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

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

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

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

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

13                           **2. THE RELATIVE WHOSE NAME HAS BEEN PROVIDED**  
14 **DOES NOT ANSWER THE NOTIFICATION CALL.**

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

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

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

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

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

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

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

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