

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

House Bill 859  
Economic Matters

(Delegate Conaway, *et al.*)

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**Electric Companies - Interruption of Service - Reporting to Adult Protective Services**

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This bill requires an electric company to report an interruption of service to the Adult Protective Services Program if the customer has notified the electric company that the customer is at least 65 years of age, the interruption of service is due to a failure to pay an electric bill, and the customer's service has not been interrupted in the previous 12 months due to a failure to pay an electric bill. An electric company must include a notice in each bill that the company will report the first interruption of service due to a failure to pay an electric bill to adult protective services as a precautionary measure for the customer's benefit if the customer is at least 65 years of age and the customer's service has not been interrupted in the previous 12 months due to a failure to pay an electric bill.

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**Fiscal Summary**

**State Effect:** None. The Public Service Commission (PSC) can implement the bill with existing budgeted resources. Additional notifications to adult protective services are not expected to materially affect the operations or finances of the Department of Human Resources (DHR).

**Local Effect:** The bill is not anticipated to materially affect local operations or finances.

**Small Business Effect:** None.

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## **Analysis**

**Current Law:** “Electric company” means a person who physically transmits or distributes electricity in the State to a retail electric customer.

PSC regulates gas, electric, telephone, water, sewage disposal, and certain passenger transportation companies doing business in Maryland. PSC sets utility rates, collects and maintains records and reports of public service companies, reviews plans for service, inspects equipment, audits financial records, handles consumer complaints, and promulgates and enforces rules and regulations.

### *Termination of Service by Utility Service Providers*

PSC regulations require electric or gas companies to notify a customer at least 14 days prior to terminating service for nonpayment, except under specified conditions. Additional restrictions on terminations apply to elderly or handicapped individuals, individuals with a serious illness and life support equipment, low-income individuals, and during periods of excessively hot or cold weather. For elderly or handicapped individuals, between the date the notice of termination is mailed to the customer and the date on or after which service is to be terminated, the electric company must, at a minimum, attempt to make personal contact with the customer on two separate occasions, each of which must be on a separate day. The attempt must be either by telephone or visiting the premises and leaving a copy of the notice of termination with the customer or a responsible person 18 years or older at the premises, or if no one is at home, leaving a copy of the notice at the premises.

### *Adult Protective Services Program*

It is the policy of the State that adults who lack the physical or mental capacity to care for their basic daily living needs shall have access to and be provided with needed professional services sufficient to protect their health, safety, and welfare. The program must include, among others: (1) intake and investigative services including, if appropriate, medical, social, and psychiatric evaluation; (2) planning for the needs of the recipient of services; and (3) assistance to locate, apply for, and effectively use home care, day care, chore services, transportation, counseling, emergency arrangements, and other health and social services.

For persons over the age of 65, the services of the program must be coordinated with the Maryland Department of Aging or the local office on aging as appropriate. Certain persons, including health practitioners, police officers, and human service workers who have reason to believe an alleged vulnerable adult has been subjected to abuse, neglect, self-neglect, or exploitation must notify local police. Any person who makes or

participates in making a report to adult protective services or participates in an investigation or judicial proceeding resulting from a report has immunity from any civil liability that would otherwise result.

**Background:** Administered through DHR, adult protective services serves persons over the age of 18 who lack the physical or mental capacity to provide for their daily needs. The program's purpose is to prevent or remedy the abuses, neglect, self-neglect, or exploitation of adults who are unable to protect their own interests and are at risk of immediate harm to their own person or to others. The program provides professional services to protect the health, safety, and welfare of endangered or vulnerable adults.

Nationally, persons over the age of 65 account for approximately 20% of occupied housing units. As of 2010, Maryland had approximately 2.4 million housing units. Assuming the national distribution of housing occupancy is similar to that of Maryland's, there are approximately 500,000 housing units in the State occupied by someone over the age of 65. In addition, there are about 717,000 Maryland residents over the age of 65. Nationally, approximately 44% of those over 65 live alone. Assuming national statistics are representative of Maryland, approximately 315,000 of Maryland residents over the age of 65 live alone.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Human Resources, Office of People's Counsel, Public Service Commission, U.S. Census Bureau; Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2012  
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Analysis by: Stephen M. Ross

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510