

# SENATE BILL 600

J3

2lr2050  
CF HB 544

---

By: **Senators Kelley, Augustine, Beidle, Klausmeier, and Kramer**

Introduced and read first time: February 2, 2022

Assigned to: Finance

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2022

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Health Facilities – Residential Service Agencies – Reporting Requirement**

3 FOR the purpose of requiring residential service agencies receiving Medicaid  
4 reimbursement for the provision of home care or similar services by personal care  
5 aides to report annually to the Maryland Department of Health certain information  
6 regarding the personal care aides; requiring the Department to use the reported  
7 information to create an annual internal report; and generally relating to residential  
8 service agencies and information regarding personal care aides.

9 BY adding to

10 Article – Health – General  
11 Section 19–4A–11(c) and (d)  
12 Annotated Code of Maryland  
13 (2019 Replacement Volume and 2021 Supplement)

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

16 **Article – Health – General**

17 19–4A–11.

18 **(C) ON OR BEFORE OCTOBER 1 EACH YEAR, EACH RESIDENTIAL SERVICE**  
19 **AGENCY RECEIVING MEDICAID REIMBURSEMENT FOR THE PROVISION OF HOME**  
20 **CARE OR SIMILAR SERVICES BY A PERSONAL CARE AIDE SHALL REPORT TO THE**

---

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 DEPARTMENT, ON A FORM OR IN AN ELECTRONIC MANNER DEVELOPED BY THE  
2 DEPARTMENT, THE FOLLOWING:

3 (1) THE PERSONAL CARE AIDE'S HOURLY PAY RATE; AND

4 (2) WHETHER THE RESIDENTIAL SERVICE AGENCY HAS CLASSIFIED  
5 THE PERSONAL CARE AIDE AS AN EMPLOYEE OR AS AN INDEPENDENT CONTRACTOR;

6 ~~(3) WHETHER THE PERSONAL CARE AIDE HAS HEALTH INSURANCE~~  
7 ~~THROUGH THE RESIDENTIAL SERVICE AGENCY;~~

8 ~~(4) WHETHER THE PERSONAL CARE AIDE IS COVERED BY A WORKERS'~~  
9 ~~COMPENSATION POLICY THROUGH THE RESIDENTIAL SERVICE AGENCY; AND~~

10 ~~(5) WHETHER THE RESIDENTIAL SERVICE AGENCY PROVIDES THE~~  
11 ~~PERSONAL CARE AIDE WITH EARNED SICK AND SAFE LEAVE UNDER THE MARYLAND~~  
12 ~~HEALTHY WORKING FAMILIES ACT.~~

13 (D) (1) ON OR BEFORE JULY 1 EACH YEAR, THE DEPARTMENT SHALL USE  
14 THE INFORMATION REPORTED UNDER SUBSECTION (C) OF THIS SECTION TO CREATE  
15 AN INTERNAL REPORT CONCERNING:

16 (i) MEDICAID REIMBURSEMENT RATES;

17 (ii) THE COST OF DELIVERING SERVICES; AND

18 (iii) AGGREGATED WAGES AND EMPLOYMENT CLASSIFICATIONS  
19 OF INDIVIDUALS WHO PROVIDE PERSONAL CARE.

20 (2) DATA INCLUDED IN THE INTERNAL REPORT UNDER THIS  
21 SUBSECTION:

22 (i) MAY ONLY BE IN AGGREGATE; AND

23 (ii) MAY NOT IDENTIFY A SPECIFIC RESIDENTIAL SERVICE  
24 AGENCY.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2022.