SENATE BILL 600

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.
Strikeout indicates matter stricken from the bill by amendment or deleted from the law by
amendment.
DEPARTMENT, ON A FORM OR IN AN ELECTRONIC MANNER DEVELOPED BY THE
DEPARTMENT, THE FOLLOWING:

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

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

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

(4) WHETHER THE PERSONAL CARE AIDE IS COVERED BY A WORKERS’
COMPENSATION POLICY THOUGH THE RESIDENTIAL SERVICE AGENCY; AND

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

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

(1) MEDICAID REIMBURSEMENT RATES;

(II) THE COST OF DELIVERING SERVICES; AND

(III) AGGREGATED WAGES AND EMPLOYMENT CLASSIFICATIONS
OF INDIVIDUALS WHO PROVIDE PERSONAL CARE.

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

(1) MAY ONLY BE IN AGGREGATE; AND

(II) MAY NOT IDENTIFY A SPECIFIC RESIDENTIAL SERVICE
AGENCY.

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