

# HOUSE BILL 490

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3lr2663  
CF SB 230

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By: **Delegate R. Lewis**

Introduced and read first time: January 30, 2023

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Residential Service Agencies – Employee Registry**

3 FOR the purpose of requiring the Maryland Department of Health to establish and  
4 maintain a registry of each employee of a residential service agency who provides  
5 home health care; requiring each residential service agency to submit certain  
6 information to the Department; requiring the Department to disclose certain  
7 information to a labor union or similar employee organization on request; and  
8 generally relating to a registry of residential service agency employees.

9 BY adding to

10 Article – Health – General  
11 Section 19–4A–12  
12 Annotated Code of Maryland  
13 (2019 Replacement Volume and 2022 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–12.**

18 **(A) (1) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A REGISTRY**  
19 **OF EACH EMPLOYEE OF A RESIDENTIAL SERVICE AGENCY WHO PROVIDES HOME**  
20 **HEALTH CARE.**

21 **(2) THE REGISTRY ESTABLISHED UNDER PARAGRAPH (1) OF THIS**  
22 **SUBSECTION SHALL:**

23 **(I) BE UPDATED AT LEAST QUARTERLY; AND**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**(II) INCLUDE EACH EMPLOYEE'S:**

- 1. FULL NAME;**
- 2. IDENTIFICATION NUMBER;**
- 3. JOB TITLE;**
- 4. GENDER;**
- 5. HOME AND MAILING ADDRESS;**
- 6. COMPLETED TRAININGS OR CERTIFICATIONS; AND**
- 7. EMPLOYER.**

**(B) (1) EXCEPT AS PROVIDED IN SUBPARAGRAPH (2)(II) OF THIS SUBSECTION, IN A MANNER DETERMINED BY THE DEPARTMENT, EACH RESIDENTIAL SERVICE AGENCY SHALL:**

**(I) COLLECT AND MAINTAIN THE INFORMATION REQUIRED UNDER SUBSECTION (A)(2) OF THIS SECTION; AND**

**(II) SUBMIT THE INFORMATION REQUIRED UNDER SUBSECTION (A)(2) OF THIS SECTION TO THE DEPARTMENT IN A TIMELY MANNER.**

**(2) A RESIDENTIAL SERVICE AGENCY MAY NOT:**

**(I) REQUIRE AN EMPLOYEE TO PAY ANY COSTS RELATED TO THE COLLECTION OF INFORMATION REQUIRED UNDER THIS SECTION; OR**

**(II) COLLECT, MAINTAIN, OR SUBMIT INFORMATION REGARDING AN EMPLOYEE WHO HAS BEEN THE VICTIM OF:**

- 1. DOMESTIC VIOLENCE;**
- 2. RAPE;**
- 3. SEXUAL ASSAULT; OR**
- 4. STALKING.**

1           **(C) AT THE REQUEST OF A LABOR UNION OR SIMILAR EMPLOYEE**  
2 **ORGANIZATION, THE DEPARTMENT SHALL DISCLOSE THE INFORMATION**  
3 **COLLECTED UNDER SUBSECTION (A)(2) OF THIS SECTION TO THE LABOR UNION OR**  
4 **EMPLOYEE ORGANIZATION.**

5           **(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**  
6 **PROVISIONS OF THIS SECTION.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2023.