

HOUSE BILL 1129

J1, J3, K3

6lr2490

By: **Delegates Lopez, Kaufman, and Wims**

Introduced and read first time: February 11, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Provider Agencies – Wages and Leave**
3 **for Personal Care Aides**

4 FOR the purpose of requiring provider agencies to pay a certain wage to personal care aides
5 and to provide a certain notice regarding the wage to personal care aides; requiring
6 provider agencies to provide personal care aides with a certain minimum amount of
7 earned sick and safe leave; and generally relating to personal care aides employed
8 by provider agencies reimbursed by the Maryland Medical Assistance Program.

9 BY adding to

10 Article – Health – General
11 Section 15–160
12 Annotated Code of Maryland
13 (2023 Replacement Volume and 2025 Supplement)

14 BY adding to

15 Article – Labor and Employment
16 Section 3–1303(d)
17 Annotated Code of Maryland
18 (2025 Replacement Volume)

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

21 **Article – Health – General**

22 **15–160.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
24 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “PERSONAL CARE AIDE” MEANS AN INDIVIDUAL WHO PROVIDES**
2 **PERSONAL ASSISTANCE SERVICES.**

3 **(3) (I) “PROVIDER AGENCY” MEANS AN ENTITY THAT PAYS A**
4 **PERSONAL CARE AIDE TO PROVIDE PERSONAL ASSISTANCE SERVICES THAT ARE**
5 **REIMBURSABLE BY THE PROGRAM UNDER COMMUNITY FIRST CHOICE,**
6 **COMMUNITY OPTIONS, COMMUNITY PERSONAL ASSISTANCE SERVICES, AND ANY**
7 **OTHER HOME- AND COMMUNITY-BASED SERVICES ADMINISTERED BY THE**
8 **DEPARTMENT.**

9 **(II) “PROVIDER AGENCY” DOES NOT MEAN AN ENTITY THAT**
10 **PAYS A PERSONAL CARE AIDE TO PROVIDE PERSONAL ASSISTANCE SERVICES THAT**
11 **ARE PROVIDED THROUGH THE DEVELOPMENTAL DISABILITIES ADMINISTRATION.**

12 **(B) (1) A PROVIDER AGENCY SHALL PAY EACH PERSONAL CARE AIDE A**
13 **WAGE OF AT LEAST \$17 PER HOUR.**

14 **(2) A PROVIDER AGENCY SHALL PROVIDE WRITTEN NOTICE TO EACH**
15 **PERSONAL CARE AIDE EMPLOYED BY THE PROVIDER AGENCY OF THE WAGE**
16 **REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND THE RATE THAT THE**
17 **PERSONAL CARE AIDE WILL BE PAID.**

18 **(3) THE DEPARTMENT MAY REQUEST DOCUMENTATION FROM A**
19 **PROVIDER AGENCY TO DEMONSTRATE COMPLIANCE WITH THIS SECTION.**

20 **(C) (1) EACH PROVIDER AGENCY SHALL PROVIDE AT LEAST 24 HOURS OF**
21 **PAID EARNED SICK AND SAFE LEAVE FOR USE IN ACCORDANCE WITH § 3-1305 OF**
22 **THE LABOR AND EMPLOYMENT ARTICLE:**

23 **(I) ON JANUARY 1 OF EACH CALENDAR YEAR TO EACH**
24 **PERSONAL CARE AIDE EMPLOYED BY THE PROVIDER AGENCY; AND**

25 **(II) FOR A PERSONAL CARE AIDE WHO IS HIRED DURING A**
26 **CALENDAR YEAR, ON THE PERSONAL CARE AIDE’S FIRST DAY OF EMPLOYMENT.**

27 **(2) AFTER A PERSONAL CARE AIDE WHO IS EMPLOYED BY A PROVIDER**
28 **AGENCY WORKS 720 HOURS IN A CALENDAR YEAR FOR THE PROVIDER AGENCY, THE**
29 **PROVIDER AGENCY SHALL PROVIDE THE PERSONAL CARE AIDE WITH A MINIMUM OF**
30 **1 HOUR OF SICK AND SAFE LEAVE PER EVERY 30 HOURS THE PERSONAL CARE AIDE**
31 **WORKS.**

1 **(D) (1) THE DEPARTMENT MAY TAKE APPROPRIATE ENFORCEMENT**
2 **ACTION AGAINST A PROVIDER AGENCY IF THE PROVIDER AGENCY FAILS TO COMPLY**
3 **WITH THIS SECTION.**

4 **(2) APPROPRIATE ENFORCEMENT MAY INCLUDE:**

5 **(I) IMPOSITION OF A CORRECTIVE PLAN;**

6 **(II) SUSPENSION OR TERMINATION FROM THE PROGRAM; AND**

7 **(III) ANY OTHER ACTION DETERMINED APPROPRIATE BY THE**
8 **DEPARTMENT.**

9 **Article – Labor and Employment**

10 3–1303.

11 **(D) TO THE EXTENT THAT § 15–160 OF THE HEALTH – GENERAL ARTICLE**
12 **CONFLICTS WITH THIS SUBTITLE, § 15–160 OF THE HEALTH – GENERAL ARTICLE**
13 **SHALL PREVAIL TO THE EXTENT OF THE CONFLICT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2026,
15 the Maryland Department of Health shall report to the Senate Finance Committee and the
16 House Health Committee, in accordance with § 2–1257 of the State Government Article, on
17 the steps that are necessary to ensure that a minimum of 80% of Medicaid payments for
18 personal care services is spent on compensation for personal care aides and that personal
19 care aides receive an hourly wage of at least \$20 per hour.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2026.