



**TESTIMONY BEFORE THE
HOUSE ECONOMIC MATTERS COMMITTEE**

January 28, 2021

House Bill 124: Occupational Safety and Health Standards to Protect Employees -
Aerosol Transmissible Diseases and COVID-19

Written Testimony Only

POSITION: SUPPORT WITH AMENDMENT

On behalf of the members of the Health Facilities Association of Maryland (HFAM), we appreciate the opportunity to express our support with amendment for House Bill 124, Occupational Safety and Health Standards to Protect Employees - Aerosol Transmissible Diseases and COVID-19.

HFAM represents over 170 skilled nursing centers and assisted living communities in Maryland and nearly 80 associate businesses that offer products and services to healthcare providers. Our members provide services and employ individuals in nearly every jurisdiction in the state and provide the majority of post-acute and long-term care to Marylanders in need.

House Bill 124 advances important issues related to employee health and fighting infectious diseases that could be aerosol transmissible. However, as written, this legislation is very broad and does not take into account the differences between workplaces such as warehouses, supermarkets, hospitals, nursing homes, gyms, restaurants, or correctional institutions. Nor does this legislation take into account the varying level of infectious diseases regulation, practices, or oversight currently in place under existing law in those various settings. Finally, the highly prescriptive language of Section 2 as drafted makes innovation and adaptability difficult and does not draw on the expertise of the Maryland Department of Health Prevention and Health Promotion Administration or the Infectious Disease Epidemiology and Outbreak Response Bureau – which are both critical in achieving the goal of this well-intentioned bill.

For these reasons, we support with amendment House Bill 124, Occupational Safety and Health Standards to Protect Employees - Aerosol Transmissible Diseases and COVID-19. The current language in Section 2 is language that is highly detailed and specific and the process would be well-served by a rulemaking process in lieu of such extensive, mandatory but uncodified standards.

The amendment we request is on page 2, in line 28, replacing Section 2 with, “On or before March 1, 2021, the Maryland Department of Health, with the Prevention and Health Promotion Administration and Infectious Disease Epidemiology and Outbreak Response Bureau taking the lead role, and in consultation with the Secretary of Labor and the Commissioner of Labor and Industry, shall develop via administrative rule-making Occupational Safety and Health Standards to Protect Employees – Aerosol.”

For these reasons and with this amendment, we request a favorable report from the Committee on House Bill 124.

Submitted by:

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