



Hospice & Palliative Care Network
OF MARYLAND

TO: The Honorable Delores G. Kelley, Chair
Members, Senate Finance Committee
The Honorable Brian J. Feldman

FROM: Danna L. Kauffman
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DATE: March 17, 2021

RE: **OPPOSE** – Senate Bill 728 – *Labor and Employment – Worker Safety and Health – Injury and Illness Prevention Program*

On behalf of the LifeSpan Network, the Maryland-National Capital Homecare Association, the Hospice & Palliative Care Network of Maryland, and the Maryland Association of Adult Day Services, we respectfully oppose Senate Bill 728. This bill states that each employer must establish, implement, and maintain an Injury and Illness Prevention Program (Program). The bill also states that each employer with 10 or more employees, or whose rate of work-related injury and illness exceeds the average incidence rate of all industries in the State as determined by the Commissioner of Labor, must develop, and implement a Health and Safety Committee to promote health and safety in the workplace. An employer with 10 or more employees shall establish the Program in consultation with the Committee.

While we appreciate the spirit of Senate Bill 728, we do not believe that this is the right time to be imposing an additional administrative requirement on businesses. The formation of a committee along with reporting and record retention requirements presents a regulatory burden on businesses that are desperately trying to stabilize their operations. It is also important to note that, especially in health care, employers are already required to comply with stringent workplace regulations and safety protocols through the Maryland Occupational Safety and Health Division of the Department of Labor and/or the Maryland Department of Health as well as guidance from the CDC.

Rather than impose a requirement on employers at this time, we believe that a better avenue would be the approach taken in other states to create financial incentives (e.g., tax credits or reduction in premium costs for worker's compensation) for employers to voluntarily implement injury and illness prevention programs. Another suggestion is to have the Commissioner of Labor work more closely with employers by providing voluntary guidance, consultation and training programs and other assistance to help and encourage the implementation of programs that would be better suited for each employer's operation rather than a one-size fits all approach.

For the reasons stated above, we request an unfavorable report.