

SB 894 - Sponsor Amendments

Uploaded by: Rosapepe, Jim

Position: FAV



SB0894/293120/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

16 MAR 21
14:32:16

BY: Senator Rosapepe
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 894
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “programs;” insert “altering the list of training programs with respect to which an applicant for certification or renewal of certification as a certified nursing assistant may provide certain evidence to include a certain digital learning program; establishing certain requirements for a program of digital learning for certification as a certified nursing assistant;”; and in line 17, after “terms;” insert “requiring that a certain individual practicing as a certified nursing assistant be allowed to continue to practice for a certain number of additional years;”.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 8-6A-05 and 8-6A-08(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 8–6A–08(a) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2020 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 24, insert:

(Over)

“8-6A-05.

(a) The Board shall adopt regulations establishing:

(1) Categories of certified nursing assistants, including geriatric nursing assistants, home health aides, school health aides, dialysis technicians, individuals working in developmental disabilities administration facilities, and medicine aides;

(2) Qualifications for each category of certified nursing assistant;

(3) Qualifications for certified medication technicians; and

(4) Standards for qualification of applicants for certification, including the applicant’s criminal history, work record, and prohibitions against behavior which may be potentially harmful to patients.

(b) To qualify for certification as a nursing assistant, a nursing assistant in a specific category, or a medication technician, an applicant shall meet the requirements set by the Board.

(c) (1) An applicant for a certificate shall:

(i) Submit an application to the Board on the form that the Board requires;

(ii) Provide evidence, as required by the Board, of successful completion of:

1. An approved nursing assistant training program;

2. AN APPROVED DIGITAL LEARNING PROGRAM THAT MEETS THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION;

[2.] 3. An approved course in medication administration; or

[3.] 4. A portion of an approved nursing education program that the Board determines meets the requirements of a nursing assistant training program or medication administration course;

(iii) Pay to the Board an application fee set by the Board;

(iv) Be of good moral character;

(v) Be at least 16 years old to apply for certification as a nursing assistant; and

(vi) Be at least 18 years old to apply for certification as a medication technician.

(2) Subject to paragraph (1) of this subsection, an applicant for certification as a certified nursing assistant shall submit to the Board:

(i) A criminal history records check in accordance with § 8-303 of this title and § 8-6A-08(k) of this subtitle; and

(ii) On the form required by the Board, written, verified evidence that the requirement of item (i) of this paragraph is being met or has been met.

(3) An applicant for certification as a certified medicine aide, in addition to the requirements under paragraph (1) of this subsection, shall submit an additional application to that effect to the Board on the form that the Board requires.

(Over)

(4) An applicant for a certificate may not:

(i) Have committed any act or omission that would be grounds for discipline or denial of certification under this subtitle; and

(ii) Have a record of abuse, negligence, misappropriation of a resident's property, or any disciplinary action taken or pending in any other state or territory of the United States against the certification of the nursing assistant or medication technician in the state or territory.

(D) A PROGRAM OF DIGITAL LEARNING, AS DEFINED IN § 1-225 OF THIS ARTICLE, FOR CERTIFICATION AS A CERTIFIED NURSING ASSISTANT MUST CONSIST OF A MINIMUM OF 8 HOURS OF EDUCATION AND INCLUDE TRAINING IN:

(1) RESIDENTS' RIGHTS;

(2) CONFIDENTIALITY OF RESIDENTS' PERSONAL INFORMATION AND MEDICAL RECORDS;

(3) CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;

(4) EMERGENCY RESPONSE MEASURES;

(5) ASSISTANCE WITH ACTIVITIES OF DAILY LIVING;

(6) MEASURING VITAL SIGNS;

(7) SKIN CARE AND PRESSURE SORES PREVENTION;

(8) PORTABLE OXYGEN USE AND SAFETY;

(9) NUTRITION AND HYDRATION; AND

(10) DEMENTIA CARE.

8-6A-08.

(a) A certificate expires on the 28th day of the birth month of the nursing assistant or medication technician, unless the certificate is renewed for a 2-year term as provided in this section.

(b) (1) At least 3 months before a certificate expires, the Board shall send a renewal notice to the nursing assistant or medication technician by:

(i) First-class mail to the last known mailing address of the nursing assistant or medication technician; or

(ii) Electronic means to the last known electronic address of the certificate holder.

(2) A renewal notice shall state:

(i) The date on which the current certificate expires;

(ii) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the certificate expires; and

(iii) The amount of the renewal fee.

(3) If a nursing assistant or medication technician is required to have a criminal history records check before a certificate may be renewed, the Board shall send

(Over)

the nursing assistant or medication technician the documents necessary for initiating the criminal history records check in conjunction with the renewal notice required under paragraph (1) of this subsection.

(c) Before a certificate expires, a nursing assistant periodically may renew it for an additional term, if the certificate holder:

(1) Otherwise is entitled to be certified;

(2) Submits to the Board a renewal application on the form that the Board requires;

(3) Pays to the Board a renewal fee set by the Board; and

(4) Provides satisfactory evidence of completion of:

(i) 16 hours of active nursing assistant practice within the 2-year period immediately preceding the date of renewal; [or]

(ii) An approved nursing assistant training program; OR

(III) AN APPROVED DIGITAL LEARNING PROGRAM THAT MEETS THE REQUIREMENTS UNDER § 8-6A-05(D) OF THIS TITLE.”.

On page 10, after line 17, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That an individual practicing as a certified nursing assistant for at least 180 days during the State of Emergency declared March 5, 2020, by the Governor under § 14-107 of the Public Safety Article and who is in good standing with the State Board of Nursing shall be allowed to continue to practice as a certified nursing assistant for an additional 2 years.”;

and in line 18, strike “2.” and substitute “3.”.

Written Testimony SB 894 3-17-2021(2).pdf

Uploaded by: Anderson, Stephanie

Position: FWA

MARYLAND WORKFORCE

A L L I N C E

Date: March 17, 2021
Committee: Finance
Legislation: Testimony on SB 894 Post-Crisis Jobs Act of 2021
Position: Favorable with Amendments

Good Afternoon Chair Kelley and Members of the Committee. My name is Joseph DeMattos, and I serve as Chair of the Maryland Workforce Alliance. The Maryland Workforce Alliance is a coalition of 36 trade associations, labor unions and apprenticeship providers that have come together to support common sense workforce legislation. The Maryland Workforce Alliance unites trade associations, unions, and nonprofits to promote a world-class workforce in Maryland. We endeavor to bridge the skills gap and address critical employment shortages in key fields and to forge pathways that connect employers, apprenticeship sponsors, and job seekers.

The Maryland Workforce Alliance works for the creation of jobs in markets experiencing labor shortages through career and technical education in public schools, certificate programs in community colleges, youth apprenticeship programs and registered apprenticeship programs. MWA's work ensures there is increased engagement in the development and execution of workforce skills training programs.

Senate Bill 894 includes provisions authorizing digital learning which will place online training on equal footing with onsite training for licensing boards. The bill also authorizes for fiscal years 2023-2025, 75% of any increase in community college funding to be used towards workforce development and skills training. The proposed legislation also provides grant funding to assist with the various workforce training initiatives. First, 40 million dollars in federal and state funds by 2023, to assist with the conversion of digital learning. Second, 20 million dollars by 2023, under the Basic Numeracy and Literacy Skill Program to assist public and private programs that meet or exceed career, college and readiness standards in numeracy and literacy. The bill stipulates a \$5000 grant to students under this Program. Third, 50 million dollars in federal and state funds by 2023 is offered to train students for jobs in the High Growth Sector Industries Program. This program will bolster training for the unemployed; youth ages 16-24; adults, ex-offenders and other populations in need of re-employment assistance.

As a result of the COVID-19 pandemic, the federal government approved an eight-hour online emergency training program for Certified Nursing Assistants (CNAs). It is imperative that nursing homes in Maryland have all the tools available to recruit, train, and retain CNAs during the ongoing pandemic and beyond. Consequently, the Maryland Workforce Alliance is requesting that SB 894 be amended to allow CNAs who became certified during the state of emergency without in person training to continue that certification once the state of emergency ends and to allow such CNAs to continue their training to become geriatric nursing assistants.

This bill and the proposed amendment align with the mission of the Maryland Workforce Alliance, and we strongly encourage this Committee to vote favorable with amendments on SB 894.

AMENDMENT TO SENATE BILL 894

(First Reading File Bill)

On page 4, after line 24, insert the following:

(D) THE BOARD OF NURSING SHALL APPROVE AN APPLICANT FOR A LICENSE, A CERTIFICATION, RENEWAL OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT COMPLETES THE EDUCATION OR TRAINING REQUIRED TO QUALIFY FOR THE AUTHORIZATION THROUGH A DIGITAL LEARNING PROGRAM.

(I) A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MAY COMPLETE A DIGITAL LEARNING PROGRAM IN CONSULTATION WITH THE BOARD OF NURSING.

(II) THE DIGITAL LEARNING PROGRAM MUST CONSIST OF A MINIMUM OF 8 HOURS OF EDUCATION AND MUST INCLUDE TRAINING IN THE FOLLOWING CONTENT AREAS:

- (a) **RESIDENTS' RIGHTS;**
- (b) **CONFIDENTIALITY OF RESIDENTS' PERSONAL INFORMATION AND MEDICAL RECORDS;**
- (c) **CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;**
- (d) **EMERGENCY RESPONSE MEASURES;**
- (e) **ASSISTANCE WITH ACTIVITIES OF DAILY LIVING;**
- (f) **MEASURING VITAL SIGNS;**
- (g) **SKIN CARE AND PRESSURE SORES PREVENTION;**
- (h) **PORTABLE OXYGEN USE AND SAFETY;**
- (i) **NUTRITION AND HYDRATION; AND**
- (j) **DEMENTIA CARE**

(E) AN INDIVIDUAL WHO HAS BEEN PRACTICING AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT IS IN GOOD STANDING WITH THE BOARD OF NURSING AND HAS BEEN PRACTICING FOR AT LEAST 180 DAYS DURING THE COVID-19 PANDEMIC SHALL:

- (1) **BE PERMITTED TO CONTINUE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT, AND**
- (2) **BE PERMITTED TO SEEK CERTIFICATION AS A GERIATRIC NURSING ASSISTANT UNDER SUBSECTION (F).**

(F) IN ORDER TO PERFORM THE DUTIES OF A GERIATRIC NURSING ASSISTANT, A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MUST SUCCESSFULLY COMPLETE THE REQUIREMENTS FOR GERIATRIC NURSING ASSISTANT MANDATED UNDER THE REGULATIONS OF THE BOARD OF NURSING.

HFAM Testimony SB 894 Final.pdf

Uploaded by: DeMattos, Joseph

Position: FWA



**TESTIMONY BEFORE THE
SENATE FINANCE COMMITTEE**

March 17, 2021

Senate Bill 894: Post-Crisis Jobs Act of 2021

POSITION: FAVORABLE WITH AMENDMENTS

On behalf of the members of the Health Facilities Association of Maryland (HFAM), we appreciate the opportunity to express our support with amendments for Senate Bill 894: Post Crisis-Jobs Act of 2021.

HFAM represents over 170 skilled nursing centers and assisted living communities in Maryland, as well as nearly 80 associate businesses that offer products and services to healthcare providers. Our members provide services and employ individuals in nearly every jurisdiction of the state. HFAM members provide the majority of post-acute and long-term care to Marylanders in need: 6 million days of care across all payer sources annually, including more than 4 million Medicaid days of care and one million Medicare days of care.

As we all know, the COVID-19 pandemic has exacerbated issues we have long been working on together such as healthcare disparity, the underfunding of Medicaid, as well as training and workforce challenges. Even before the pandemic, workforce recruitment, retention, and training presented a unique set of governmental and marketplace challenges – particularly among certified nursing assistants (CNAs). The COVID-19 pandemic has made these challenges worse, and the workforce shortages we face in the coming months and years will simultaneously present dire challenges and tremendous opportunities.

Recent news reports indicate a 27,000-job loss in Baltimore City, and there obviously has been job loss throughout Maryland in travel and recreation, services, restaurants, and other settings. With vaccines more readily available, we are seeing incremental job growth and greater public willingness to safely get out and about, and perhaps even travel. Just as the 1918 Spanish flu pandemic was followed by a period of tremendous economic growth in the United States, we must prepare now for job growth and career opportunities after the COVID-19 pandemic. Senate Bill 894 helps us with that by advancing digital and virtual learning, better aligning current grant programs, and supporting apprentice applicants and employers.

Amid staffing shortages at the onset of the pandemic, the federal government approved an eight-hour online emergency training program for Certified Nursing Assistants (CNAs). Here in Maryland, CNAs have been allowed to work in our sector and learn through on-the-job training without taking the full nursing assistant training program. Currently, if an individual wishes to remain working and become certified, they have 120 days after the emergency ends to take the full nursing assistant training course and pass the certification exam.

Given the ongoing staffing challenges and workforce shortages, it is imperative that nursing homes in Maryland have access to all the tools available to recruit, train, and retain CNAs during the ongoing pandemic and beyond. Therefore, we offer the following amendment to Senate Bill 894.

On page 4, after line 24, insert the following:

(D) THE BOARD OF NURSING SHALL APPROVE AN APPLICANT FOR A LICENSE, A CERTIFICATION, RENEWAL OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT COMPLETES THE EDUCATION OR TRAINING REQUIRED TO QUALIFY FOR THE AUTHORIZATION THROUGH A DIGITAL LEARNING PROGRAM.

(I) A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MAY COMPLETE A DIGITAL LEARNING PROGRAM IN CONSULTATION WITH THE BOARD OF NURSING.

(II) THE DIGITAL LEARNING PROGRAM MUST CONSIST OF A MINIMUM OF 8 HOURS OF EDUCATION AND MUST INCLUDE TRAINING IN THE FOLLOWING CONTENT AREAS:

- (a) RESIDENTS' RIGHTS;**
- (b) CONFIDENTIALITY OF RESIDENTS' PERSONAL INFORMATION AND MEDICAL RECORDS;**
- (c) CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;**
- (d) EMERGENCY RESPONSE MEASURES;**
- (e) ASSISTANCE WITH ACTIVITIES OF DAILY LIVING;**
- (f) MEASURING VITAL SIGNS;**
- (g) SKIN CARE AND PRESSURE SORES PREVENTION;**
- (h) PORTABLE OXYGEN USE AND SAFETY;**
- (i) NUTRITION AND HYDRATION; AND**
- (j) DEMENTIA CARE**

(E) AN INDIVIDUAL WHO HAS BEEN PRACTICING AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT IS IN GOOD STANDING WITH THE BOARD OF NURSING AND HAS BEEN PRACTICING FOR AT LEAST 180 DAYS DURING THE COVID-19 PANDEMIC SHALL:

- (1) BE PERMITTED TO CONTINUE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT, AND**
- (2) BE PERMITTED TO SEEK CERTIFICATION AS A GERIATRIC NURSING ASSISTANT UNDER SUBSECTION (F).**

(F) IN ORDER TO PERFORM THE DUTIES OF A GERIATRIC NURSING ASSISTANT, A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MUST SUCCESSFULLY COMPLETE THE REQUIREMENTS FOR GERIATRIC NURSING ASSISTANT MANDATED UNDER THE REGULATIONS OF THE BOARD OF NURSING.

In summary, this amendment would allow CNA applicants to be approved by the Board of Nursing if they complete an eight-hour online training (as has been accepted federally during the emergency) that includes core competency areas of learning. This online course must still meet the same accreditation requirements as existing training. Also, this amendment would allow an individual who has been working as a temporary CNA for at least 180 days during the pandemic and is in good standing to be allowed to

continue working. In order to become a certified Geriatric Nursing Assistant (GNA), those currently working must still complete the requirements to become a GNA under the regulations of MBON.

Nursing homes in Maryland share the same struggles as nursing homes throughout the country with staff turnover and recruitment. A [study](#) recently issued by U.S. PIRG showed that shortages were worst among nursing aides, affecting 20.6% of U.S. nursing homes in December, up from 17.4% in May.

Allowing for a permanently abbreviated nursing assistant training program and the ability for those currently working as temporary nurses' aides to continue working after the emergency ends are two simple and effective ways to allow for qualified, competent nursing assistants to more quickly enter the workforce and to continue working in our setting.

We are thankful for the Committee's leadership on behalf of Marylanders in need. We look forward to our continued work together to protect quality care and support healthcare jobs.

For these reasons and with these amendments, we request a favorable report from the Committee on Senate Bill 894.

Submitted by:

Joseph DeMattos, Jr.
President and CEO
(410) 290-5132

LeadingAge Maryland - 2021 - SB 894 - post crisis

Uploaded by: Greenfield, Aaron

Position: FWA



6811 Campfield Road
Baltimore, MD 21207

TO: The Honorable Delores Kelley
Chairwoman, Finance Committee

FROM: LeadingAge Maryland

SUBJECT: Senate Bill 894, Post-Crisis Jobs Act of 2021

DATE: March 17, 2021

POSITION: Favorable with Amendments

LeadingAge Maryland writes to request a favorable with amendments report on Senate Bill 894.

LeadingAge Maryland is a community of not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. We represent more than 120 not-for-profit organizations, including the vast majority of CCRCs in Maryland. Our mission is to expand the world of possibilities for aging in Maryland. We partner with consumers, caregivers, researchers, faith communities and others who care about aging in Maryland.

Senate Bill 894 authorizes applicants to complete education or training requirements through a digital learning program. This bill requires the Governor, for fiscal years 2023 through 2025, to allocate 75% of any increase in total State operating funds for community colleges for workforce training. Senate Bill 894 establishes the Digital Learning Conversion Grant Program, the Basic Numeracy and Literacy Skills Grant Program, and the Recruitment of High Growth Industries Workers Grant Program.

LeadingAge Maryland supports Senate Bill 894 but given the need for Certified Nursing Assistants (CNAs) in the industry and action by the federal government, we request an

amendment. As a result of COVID-19, the federal government approved an eight-hour online emergency training program for Certified Nursing Assistants (CNAs). Nursing homes in Maryland share the same struggles as nursing homes throughout the country with staff turnover and recruitment. A study issued by U.S. PIRG last month showed that shortages were worst among nursing aides, affecting 20.6% of U.S. nursing homes in December, up from 17.4% in May. Nursing homes in Maryland must have all the tools available to recruit, train, and retain CNAs during the ongoing pandemic and beyond.

Consistent with the federal government and to address the needs of the industry, LeadingAge Maryland requests a favorable report with the attached amendment on Senate Bill 894.

For additional information, please contact Aaron J. Greenfield, 410.446.1992

LeadingAge Maryland
Proposed Amendment

Amendment No. 1

On page 4, after line 24, insert the following:

(D) THE BOARD OF NURSING SHALL APPROVE AN APPLICANT FOR A LICENSE, A CERTIFICATION, RENEWAL OR ANY OTHER AUTHORIZATION ISSUED UNDER THIS ARTICLE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT COMPLETES THE EDUCATION OR TRAINING REQUIRED TO QUALIFY FOR THE AUTHORIZATION THROUGH A DIGITAL LEARNING PROGRAM.

(I) A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MAY COMPLETE A DIGITAL LEARNING PROGRAM IN CONSULTATION WITH THE BOARD OF NURSING.

(II) THE DIGITAL LEARNING PROGRAM MUST CONSIST OF A MINIMUM OF 8 HOURS OF EDUCATION AND MUST INCLUDE TRAINING IN THE FOLLOWING CONTENT AREAS:

- (a) RESIDENTS' RIGHTS;
- (b) CONFIDENTIALITY OF RESIDENTS' PERSONAL INFORMATION AND MEDICAL RECORDS;
- (c) CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES;
- (d) EMERGENCY RESPONSE MEASURES;
- (e) ASSISTANCE WITH ACTIVITIES OF DAILY LIVING;
- (f) MEASURING VITAL SIGNS;
- (g) SKIN CARE AND PRESSURE SORES PREVENTION;
- (h) PORTABLE OXYGEN USE AND SAFETY;
- (i) NUTRITION AND HYDRATION; AND
- (j) DEMENTIA CARE

(E) AN INDIVIDUAL WHO HAS BEEN PRACTICING AS A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE THAT IS IN GOOD STANDING WITH THE BOARD OF NURSING AND HAS BEEN PRACTICING FOR AT LEAST 180 DAYS DURING THE COVID-19 PANDEMIC SHALL:

(1) BE PERMITTED TO CONTINUE TO PRACTICE AS A CERTIFIED NURSING ASSISTANT, AND

(2) BE PERMITTED TO SEEK CERTIFICATION AS A GERIATRIC NURSING ASSISTANT UNDER SUBSECTION (F).

(F) IN ORDER TO PERFORM THE DUTIES OF A GERIATRIC NURSING ASSISTANT, A CERTIFIED NURSING ASSISTANT AS DEFINED BY § 8-6A-01(J) OF THIS ARTICLE MUST SUCCESSFULLY COMPLETE THE REQUIREMENTS FOR GERIATRIC NURSING ASSISTANT MANDATED UNDER THE REGULATIONS OF THE BOARD OF NURSING.

SB0894-FIN_MACo_SWA.pdf

Uploaded by: Jabin, Drew

Position: FWA



MARYLAND
Association of
COUNTIES

Senate Bill 894

Post-Crisis Jobs Act of 2021

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Finance and Budget and Taxation
Committees

Date: March 17, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **SUPPORTS** SB 894 **WITH AMENDMENTS**. This bill authorizes individuals to complete certain education or training requirements through a digital learning program and establishes multiple grant programs aimed at improving workforce training in Maryland. While well-intentioned, this bill also imposes a uniform mandate requiring that 75% of any increase in the total state operating funds granted to Maryland's community colleges in fiscal 2023 through fiscal 2025 be allocated to workforce training **only**.

Maryland's counties recognize the desire to create stronger workforce training opportunities in light of the pandemic, and each community college board and leadership surely takes such matters seriously. However, SB 894 would substitute a one-size-fits-all state policy for that local judgement. It is pertinent to allow community colleges to continue to have flexibility to allocate operating funds in a way that best serves the interests of all students.

Community colleges are a valuable strategic asset to our state and local communities and as a partner in helping get Marylanders into the workforce, counties know that community colleges are a critical provider of Maryland's workforce training programs leading to licensure, certification, and credential achievement.

As written, this bill would inhibit community colleges' abilities to allocate already scarce operating funding where it is needed the most by mandating 75% of increased funding go only to workforce training. Accordingly, MACo **SUPPORTS** SB 894 and requests a **FAVORABLE** report **WITH AMENDMENTS** to strike language that directs increases in state operating funds for community colleges to go solely to workforce training in fiscal 2023 through fiscal 2025.

SB0894_MACC_FWA_B.Sadusky.pdf

Uploaded by: Sadusky, Dr. Bernard

Position: FWA



FINANCE COMMITTEE

March 17, 2021

Testimony submitted by:

Bernard J. Sadusky, Ed.D. Executive Director

SB 894: Post-Crisis Jobs Act of 2021

Position: Support with Amendments

The Maryland Association of Community Colleges, representing all of Maryland's community colleges, opposes the section of this legislation that would require 75% of any increase in the total state operating funds granted to community colleges in FY 23 through FY 25 be allocated for workforce training.

Community colleges are the primary providers of Maryland's workforce training programs that lead to licensure, certification, and credential achievement. Community colleges must have the flexibility to allocate their operating funds to serve the interests of all students. The mission of these institutions is to continue to provide the highest quality and most cost-effective workforce training and education to their students. As drafted, this legislation would inhibit our institutions' ability to allocate scarce operating funding where it is most needed.

We ask the Committee to delete the following language:

Page 4, beginning with line 5 delete the following: ~~**(2) FOR FISCAL YEARS 2023 THROUGH 2025, THE GOVERNOR SHALL ALLOCATE 75% OF ANY INCREASE IN THE TOTAL STATE OPERATING FUNDS FOR COMMUNITY COLLEGES UNDER SUBSECTION (C) OF THIS SECTION FOR WORKFORCE TRAINING.**~~

MACC supports the sections of this legislation that calls for a Digital Learning Conversion Grant program within the Department of Education and looks forward to strengthening our partnerships with K-12 and dually enrolled student programs.

1a - FIN - SB 894 - Massage Therapy Board - LOC.pdf

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: UNF



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Board of Massage Therapy Examiners

4201 Patterson Avenue, Suite 301
Baltimore, MD 21215
Phone: 410-764-4738

March 17, 2021

The Honorable Delores G. Kelley
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB 894 – Post-Crisis Jobs Act of 2021 – Letter of Concern

Dear Chair Kelley and Committee Members:

The Board of Massage Therapy Examiners respectfully submits this letter of concern for Senate Bill (SB) 894 – Post-Crisis Jobs Act of 2021. SB 894 allows applicants to complete education or training requirements through a digital learning program, and continuing education requirements for renewal to be delivered in a digital format. It also requires funding for workforce training; establishes the Digital Learning Conversion Grant Program, the Basic Numeracy and Literacy Skills Grant Program, and the Recruitment of High Growth Industries Workers Grant Program in the Maryland Department of Labor.

The Board of Massage Therapy Examiners (the “Board”), understands the importance of digital learning and its vital role to continuing education, especially during these challenging times. The Board supports the efforts to simplify the process of continuing education. The Board would like to express significant concerns regarding the program position as it applies to massage therapy. Allowing a complete digital learning program would significantly decrease the quality of care in massage therapy.

Continuing education credits can be completed through digital learning for massage therapy. However, the initial application process to become a massage therapist in Maryland requires in-person, supervised hands-on contact hours. The initial educational process of massage therapy must, by the nature of the profession, be an in person, hands-on process. This requirement is critical to provide the optimal care, standards of competency, protection and safety to the citizens of Maryland. Also, it is vital to ensure minimum injuries and that proper techniques are learned and properly applied. Without this requirement, the potential is there for the citizens of Maryland to be seriously injured, which contradicts the Board’s primary mission to protect the public.

The Board hopes that this information is useful and we thank you for your consideration of our concerns. If you would like to discuss this further, please contact Caitlin Thompson, Board Chair, at 410-370-2789, caitlin.thompson@maryland.gov. In addition, the Board's Executive Director, Ms. Sharon Oliver, may be reached at 410-764-5985, sharon.oliver@maryland.gov.

Sincerely,

Caitlin Thompson

Caitlin Thompson
Caitlin Thompson, LMT
Board Chair

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

1b - FIN - SB 894 - Dental Board - LOC.pdf

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: UNF



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

**Maryland State Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228**

March 17, 2021

The Honorable Delores G. Kelley
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401-1991

Re: SB 894-Post Crisis Jobs Act of 2021-Letter of Concern

Dear Chair Kelley and Committee Members:

The Maryland State Board of Dental Examiners is submitting this letter of concern for Senate Bill (SB) 894 - Post Crisis Jobs Act of 2021. The bill among other things, provides that an applicant for a license to practice a health profession including dentistry, or dental hygiene, may complete the educational, or training required to qualify for the license through a digital learning program if the digital learning program meets the program and accreditation requirements established under the Health Occupations Article. In addition, the bill provides that an applicant for the renewal of a license may complete any continuing education requirements through a digital learning program if the digital learning program meets the program and accreditation requirements established under the Health Occupation Article.

The Dental Board is concerned that the bill's ambiguity has the potential to allow individuals to seek dental or dental hygiene licenses without having any in-person instruction. Under the current law there are no entirely on-line programs that will lead to either a dental or dental hygiene license. Although accredited dental and dental hygiene schools offer a limited number of on-line courses, all require extensive in-person attendance, especially for clinical instruction.

On the one hand the bill may be interpreted to read that a license may be obtained through a digital learning program only if the digital learning program meets the accreditation requirements established under the dental laws. As stated, there are no entirely digital learning programs that lead to a dental or dental hygiene license. If there were such programs, then the law would be superfluous since the Dental Board and most, if not all other health occupations Boards, already accept programs that meet accreditation standards. There would simply be no void to be filled by SB 894.

Unfortunately, the bill could be interpreted to require the Board to accept an entirely digital learning program that has no in-person requirements if it otherwise allegedly meets “program and accreditation requirements.” In other words, if an on-line program claims that it can meet program and accreditation requirements” that have already been met by in-person accredited programs, the Board would be obligated to accept those entirely on-line programs as an avenue for licensure. This would of course lead to harmful results. Potential dental and dental hygiene school graduates who have had no in-person training would pose an obvious danger to anyone they would attempt to treat. All dental and dental hygiene programs are required to have and should continue to have extensive in person training to ensure competency and optimal care.

For these reasons, the Dental Board respectfully requests that the committee issue an unfavorable report for SB 894.

I hope that this information is helpful. If you would like to discuss this further, please contact me at 301-367-2352, jgoldsm217@comcast.net, or Dr. Arpana Verma, the Board’s Legislative Committee Chair at 240-498-8159, asverma93@gmail.com. In addition, the Board’s Executive Director, Mr. Frank McLaughlin may be reached at 443-878-5253, frank.mclaughlin@maryland.gov.

The opinion of the Maryland State Board of Dental Examiners expressed in this letter of concern does not necessarily reflect that of the Department of Health or the administration.

Sincerely,

JAMES P. GOLDSMITH, D.M.D.

James P. Goldsmith, D.M.D.
Board President

1c - FIN - SB 894 - Pharmacy Board - LOI.pdf

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Position: INFO



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

BOARD OF PHARMACY
4201 Patterson Avenue,
Baltimore, Maryland 21215-2299
Kevin M. Morgan, Board President
Deena Speights-Napata, Executive
Director

March 17, 2021

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401-1991

Re: SB 894-Post Crisis Jobs Act of 2021-Letter of Information

Dear Chair Kelley and Committee Members:

The Maryland Board of Pharmacy is submitting this letter of information for Senate Bill (SB) 894 - Post Crisis Jobs Act of 2021.

The Maryland Pharmacy Act, Health Occ., Sec. 12-508(b)(2)(ii), requires that pharmacists who administer vaccinations maintain an active CPR certification obtained through "in-person classroom instruction." The purpose of the in-person requirement is to ensure that pharmacists are assessed on their hands-on mechanical skills for the proper application of chest compressions. The Board is generally supportive of digital learning as a medium for education and is similarly supportive of the ability of pharmacists to obtain CPR certification through digital learning, but only if it includes a mechanism to assess the pharmacist's mechanical skills.

I hope this information is useful. If you would like to discuss this further, please contact me at 410-764-4753 or deena.speights-napata@maryland.gov.

Sincerely,

DEENA SPEIGHTS-NAPATA

Deena Speights-Napata, M.A.
Executive Director

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.

SB0894 LOI - 3.1.2021.docx.pdf

Uploaded by: Fulginiti, Andrew

Position: INFO

Senate Bill 894

Date: March 17, 2021
Committee: Finance Committee
Bill Title: Post-Crisis Jobs Act of 2021
Re: Letter of Information

SB 894 establishes **three new substantial programs** under the MD Department of Labor’s Division of Workforce Development and Adult Learning (DWDAL), with a suggested total allocation of **\$110M annually**:

Program	Funding Envisioned
Digital Learning Conversion Grant Program	\$40M annually
Basic Numeracy and Literacy Grant Program	\$20M annually
Recruitment of High Growth Industries Workers Grant Program	\$50M annually

For perspective, for Fiscal Year 2022, DWDAL’s *entire* budget is \$132 million.

Each program would have a significant fiscal and operational impact on MD Labor. For each program established under SB 894, MD Labor would need to set up appropriate infrastructure, policies, and procedures; provide management and oversight; and adopt regulations to include requirements for grant applications and processes for reviewing and awarding grants.

MD Labor would require substantial staffing to achieve the purposes outlined in SB 894. At minimum, in terms of new staffing the Department would require 2.5 Program Manager, 1 Education Program Specialist, 2 Fiscal Specialists, 1 Apprenticeship Navigator. A number of existing staff would also need to charge to these new programs, as **federally funded staff are prohibited from working on State initiatives that are outside of the scope of their duties.** While the bill mentions that administrative costs for the Digital Learning Conversion Grant Program could be covered by the appropriations, the bill is silent on administrative costs for the other 2 grant programs in SB 894.

SB 894 directs the Governor to include in the annual budget bill appropriations of federal funds for the Department to fund these programs. **The Department is not aware of any federal funds that could be diverted to these programs and activities for any fiscal year.** Federal workforce dollars are provided to the State for very specific purposes (often distributed by specific formulas). The Governor could not commit federal grant dollars from these sources to the program unless the grants were applied for and awarded specifically for these precise programmatic purposes. The Department would need to meet the deliverables outlined in the federal grant agreements to ensure compliance and the continuation of existing federal resources to MD.

The Department respectfully requests that the Committee consider this information.

Andrew.Fulginiti@maryland.gov | 410-230-6020 | www.labor.maryland.gov