



## **Maryland-National Capital Homecare Association**

House Bill 508: *COVID-19 Claim - Civil Immunity*  
House Judiciary Committee  
February 3, 2021

### **Position: SUPPORT WITH AMENDMENT**

On behalf of the Maryland-National Capital Homecare Association (MNCHA), whose members include Medicare-certified home health agencies, private duty companies and durable medical equipment suppliers across the State, we support House Bill 508 with an amendment. House Bill 508 provides civil immunity from liability for a COVID-19 claim to a person, including a health care facility, who acts in compliance with statutes, rules, regulations, executive orders, and agency orders, unless the person acted with gross negligence or intentional wrongdoing.

Unfortunately, because the bill defines “health care facility” as a facility under §19-114 of the Health-General Article, residential service agencies (defined under §19-4A-01 of the Health-General Article) have been inadvertently omitted from the bill’s protections. However, they have been on the front lines, providing care to individuals in their home. Like other providers and employers, they have struggled to secure necessary personal protective equipment, provide hero’s pay, and comply with applicable requirements, often with little or no guidance. Consequently, they deserve the same protection afforded to other health care facilities under this bill. Therefore, we respectfully request that the bill be amended to include residential service agencies. With this amendment, we urge a favorable vote.

### **For More Information:**

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