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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR DELORES G. KELLEY
REGARDING SENATE BILL 600-HEALTH FACILITIES-RESIDENTIAL
SERVICE AGENCIES-REPORTING REQUIREMENTS
BEFORE THE HOUSE HEALTH AND GOVERNMENT OPERATIONS
COMMITTEE

ON MARCH 24, 2022

Madam Chair and Members

Personal care aides, also called home care workers, provide care and support to older adults and people with disabilities so they can stay in their homes and thrive. Personal care aides help with things like bathing, toileting, and eating. I'm sure that some of the members of this committee have relied on personal care aides to help loved ones. These workers not only provide care to our loved ones – they often become like family to those they serve.

Ninety percent of them are women, and about 60% of them are Black women. Most of these workers are paid with state money through Medicaid programs.

Maryland is facing a home care workforce crisis. We simply do not have nearly enough personal care aides to meet our state's growing need, and our state is suffering needlessly as a result. SB600 would help Maryland solve our state's terrible shortage of home care workers in two ways. First, to solve the shortage, we need to know the two most basic things about these jobs: how much are workers being paid, and what benefits are they receiving. Right now, despite the fact that the Maryland Department of Health funds most home care in Maryland by paying residential service agencies for every hour of care a worker provides for a Medicaid recipient, the Department does nothing to learn how much these workers are paid, or whether they are classified as employees or independent contractors. We need to know how much workers are paid, and we need to know whether they're classified as employees or independent contractors. SB 600 will get this critical information to policymakers so we can learn more about the workforce and make sure state policies allow for residential service agencies to make a profit while also ensuring that these jobs are good jobs that workers want to do.

Second, as we all know, Congress has been talking about passing a reconciliation budget bill for much of the last year. There is one common thing in all the different versions of that bill: hundreds of billions of dollars for state Medicaid home care programs. But the bill language requires states to report to the federal government information on personal care aides' wages and benefits before states can get the money Maryland will not be able to access this money – more than \$1 billion for our state alone – unless we collect this information. SB600 will ensure that when the federal bill passes – and it is expected to pass within a few months – Maryland will be able to access the funds without delay. We can then use that money to increase payments for residential service agencies while also increasing pay for workers.

Last year, this Committee and the Senate unanimously voted for a favorable report of SB384, a Bill that included the same reporting provisions in this bill. However, the 2021 version of this legislation passed by the House did not include the reporting provisions which the federal resolution requires.

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SB600 also addresses the concerns that some business owners raised last year by making clear that none of the information they report to the Department of Health will be made public. Rather, it will be used by the Department to create a report on Medicaid reimbursement rates and related issues so that we can make sure that residential service agencies receive enough money to make a profit, and workers make enough money to stay in the field so we can get started solving this terrible worker shortage we're facing. SB 600 is a simple Bill that doesn't ask a lot – just that residential service agencies report this basic information once a year on a form or electronic manner created by the Department of Health. It'll take 15 minutes to do, once a year, and will help our state solve the home care workforce crisis.

In light of all these considerations, I ask for a favorable report of SB 600.