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Health and Government Operations
Committee

Subcommittees

Health Occupations and Long Term Care

Public Health and Minority
Health Disparities

House Chair

Joint Committee on Program Open Space
and Agricultural Land Preservation

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB489 - Residential Service Agencies - Reimbursement -
Personal Assistance Services**

March 29, 2023

Thank you Chair Melony Griffith, Vice Chair Katherine Klausmeier, and members of the Finance Committee. I am Delegate Robbyn Lewis, testifying today on behalf of HB489, which prevents the misclassification of personal care aides as independent contractors. This is a healthcare workers' rights bill. I hope you will support it.

Residential Service Agencies (RSAs) are businesses that employ or contract individuals to provide home health care. RSAs employ personal care aides, also known as home care workers, to assist older adults and people with disabilities with activities of daily living. Their care protects the dignity of many elders and folks with special needs. Home care workers are crucial to the health of our ageing population, they should be compensated and afforded the social safety net and protections all healthcare workers deserve.

Misclassification of home care workers harms patients by reducing the size of the available workforce and decreasing their access to quality home care. It negatively impacts agencies that properly classify their personnel, leaving them to compete with unfair competitors who avoid basic obligations to their workers.

House Bill 489 addresses these problems by authorizing the Maryland Department of Health to reimburse RSAs for in-home care provided under certain Medicaid programs, if the aides are

classified as employees. This will prevent misclassification before it occurs, and it will tackle Maryland's health care workforce shortage by strengthening this much needed cadre of care.

This bill does not apply to programs under the Developmental Disabilities Administration, nor the private sector. It only applies to Medicaid home care provided under the Department of Health's Office of Long Term Services and Supports.

Working with the Maryland Department of Health and stakeholders, I am confident HB489 as presented will ensure home care workers can comfortably continue providing quality in-home care. Thank you for your consideration. I ask for your favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robbyn Lewis', with a long horizontal flourish extending to the right.

Delegate Robbyn Lewis
District 46, Baltimore City