

Supporting Testimony for HB39/SB0197

As an RSA operator who works hard to make sure that we deliver quality care to our customers I strongly support this bill.

- It Protects Consumers
 - Ensures properly trained caregivers.
 - Independent contractors can't be required to be trained.
 - Ensures caregivers are supervised.
 - Independent contractors self-supervise.
 - Allows agency to enforce policy and ensure quality.
 - Independent contractors can't be disciplined.
 - Protects from client being considered the employer.
 - Potential legal implications for workers compensation and employer portions of payroll taxes.
 - Ensures adequate back-up coverage
 - Independent contractors can set their own schedule and do not have back-ups for illness or other scenarios that might cause them to miss a shift.
- Protects the Caregiver
 - Ensures proper pay especially over time
 - Independent contractors are often taken advantage of because they are not entitled to overtime protections.
 - Ensures Sick and Safe leave
 - This legislature did the right thing for employees and made sick and safe leave (Maryland Health Families Act) mandatory but it only applies to employees.
independent contractors do not receive this protections.
 - Ensures all appropriate insurances are in place
 - Workers Comp, Unemployment, Liability, etc.
 - Ensures access to benefits.
 - Makes the employer responsible for their share of income taxes
- Protects the Taxpayer

- Ensures that tax dollars are being spent in a way that minimizes risk and potential for fraud while maximizing quality

In conclusion the 1099 model is a dangerous model that removes the agency from a position where they can ensure qualified caregivers deliver quality care in an environment that protects both the consumer and the caregiver. To continue to spend taxpayer dollars propping up the clearly illegal misclassification of caregivers as independent contractors is irresponsible. This legislation rights this wrong and that is why HomeCentris, and I personally, support this legislation.

Sincerely,

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