



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 13, 2024

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: House Bill 1194 – Hospitals - Clinical Staffing Committees and Plans - Establishment (Safe Staffing Act of 2024) – Letter of Support with Amendments

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of support with amendments for House Bill (HB) 1194 – Clinical Staffing Committees and Plans - Establishment (Safe Staffing Act of 2024).

House Bill 1194 - Hospitals - Clinical Staffing Committees and Plans - Establishment (Safe Staffing Act of 2024) requires each hospital licensed in Maryland to establish and maintain a clinical staffing committee and implement a clinical staffing plan. This bill will require the Health Services Cost Review Commission to conduct investigations regarding alleged violations of certain provisions of this Act, and be authorized to take specific actions if the Commission determines a violation has occurred.

While the Department supports the goals of safe staffing, we are respectfully requesting amendments to exempt the Department’s Healthcare System facilities from this bill and are working with the sponsors on the appropriate administering agency. . The Department’s Healthcare System consists of 11 facilities, and operates four major service lines: inpatient adult psychiatric, long term care, intellectual disabilities, as well as Regional Institutes for Children and Adolescents. The Healthcare System is bound to the Joint Commission and the Centers for Medicare and Medicaid Services (CMS) regulations. CMS does not allow external stakeholders to participate in staffing determinations. Determination of hospital policy by external stakeholders would violate CMS regulations, and could jeopardize federal funding.

Additionally, we are working with the sponsors to determine the best department or agency to oversee the regulatory process as well as the scope of oversight. The Department appreciates the collaboration of the sponsor on this bill and will support HB 1194 with appropriate amendments.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at, Sarah.Case-Herron@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "LH Scott", is placed over a faint outline of the state of Maryland.

Laura Herrera Scott, M.D., M.P.H.
Secretary