

SB0828/823826/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 828
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “contribution;” insert “prohibiting the total rate of contribution from exceeding a certain percentage of an employee’s wage;”; in line 8, strike “certain employers and”; and in the same line, after “employees;” insert “requiring the Maryland Department of Health to reimburse certain community providers for certain employer contributions in a certain manner;”.

On page 2, in line 1, after “3” insert “and 10”; and strike in their entirety lines 2 through 7, inclusive.

AMENDMENT NO. 2

On page 6, in line 17, strike the bracket; in line 18, after “after” insert an opening bracket; and in lines 18 and 19, strike “**3 BUSINESS DAYS AFTER**”.

On page 7, in lines 30 and 31, in each instance, strike the brackets; strike beginning with “**HAS**” in line 30 down through “**ABLE**” in line 31; and in lines 31 and 32, strike “**ONE OR MORE**”.

On page 8, in lines 4 and 6, in each instance, strike the brackets; strike beginning with “**HAS**” in line 4 down through “**ABLE**” in line 5; and in line 6, strike “**ONE OR MORE**”.

On page 12, in line 24, strike “study” and substitute “COST ANALYSIS”.

On page 13, in line 1, strike “**25%**” and substitute “50%”; in the same line, strike “**COVERED**”; in line 4, strike “**75%**” and substitute “50%”; and in line 13, strike “**75%**” and substitute “50%”.

On page 14, in lines 14 and 15, in each instance, strike the brackets; in line 15, strike “PREVENTS”; in the same line, strike “FROM”; in the same line, strike “ABLE”; and in lines 15 and 16, strike “ONE OR MORE”.

On page 16, in lines 7 and 9, in each instance, strike the bracket; in lines 10 and 19, strike “(B)” and “(c)”, respectively, and substitute “(C)” and “(D)”, respectively; strike beginning with “AGAINST” in line 10 down through “INDIVIDUAL” in line 11 and substitute “TAKEN UNDER THE FEDERAL FAMILY AND MEDICAL LEAVE ACT AGAINST A COVERED INDIVIDUAL’S MAXIMUM DURATION OF LEAVE FOR WHICH BENEFITS ARE AVAILABLE UNDER THIS TITLE IN AN APPLICATION YEAR FOR THE SAME PURPOSE”; and in line 29, after “WHILE” insert “A COVERED INDIVIDUAL IS”.

On page 17, in line 9, strike “(d)” and substitute “(E)”.

On page 19, in line 20, strike the brackets; in the same line, strike “3”; and in line 23, strike “3” and substitute “5”.

AMENDMENT NO. 3

On page 11, in line 6, after “Secretary;” insert “AND”; strike beginning with “bear” in line 7 down through “(3)” in line 8; in line 10, after “(a)” insert “(1)”; in the same line, strike “JANUARY” and substitute “OCTOBER”; after line 12, insert:

“(2) THE TOTAL RATE OF CONTRIBUTION ESTABLISHED UNDER THIS SECTION:

(I) MAY NOT EXCEED 1.2% OF AN EMPLOYEE’S WAGES; AND

(II) SHALL BE APPLIED TO ALL WAGES UP TO AND INCLUDING THE SOCIAL SECURITY WAGE BASE.”;

in line 13, strike “ON” and substitute “SUBJECT TO SUBSECTION (A)(2) OF THIS SECTION, ON”; in the same line, strike “SEPTEMBER” and substitute “OCTOBER”; in line 17, strike “JANUARY” and substitute “OCTOBER”; in the same line, strike “2025” and substitute “2026”; in line 20, strike the first opening bracket; and in the same line, strike “] 2024”.

On page 12, in line 18, after “subsection” insert “AND SUBSECTION (A)(2) OF THIS SECTION”; in line 19, strike “2025” and substitute “2026”; strike in their entirety lines 25 and 26; in line 29, strike the brackets; and in the same line, strike “(F)”.

On page 13, in line 18, strike the brackets; and in the same line, strike “(G)”.

On page 14, in line 5, strike “2025” and substitute “2026”.

On page 18, in line 17, strike “2025” and substitute “2026”; and in lines 19 and 27, in each instance, strike “2026” and substitute “2027”.

On page 19, in line 4, strike “2025” and substitute “2026”.

On page 20, in line 3, strike “2025” and substitute “2026”.

AMENDMENT NO. 4

On page 5, strike beginning with “HAS” in line 17 down through “§ 1402(B)” in line 19 and substitute “MEANS ALL COMPENSATION THAT IS DUE FOR EMPLOYMENT THAT IS:

(I) FOR AN EMPLOYEE:

1. AN HOURLY WAGE OR A SALARY;

(Over)

2. A COMMISSION;
 3. COMPENSATORY PAY;
 4. SEVERANCE PAY;
 5. STANDBY PAY;
 6. A TIP OR GRATUITY;
 7. HOLIDAY OR VACATION PAY; OR
 8. ANY OTHER PAID LEAVE, INCLUDING SICK LEAVE, THAT IS PAID TO THE EMPLOYEE ENTIRELY BY THE EMPLOYER; OR
- (II) FOR A SELF-EMPLOYED INDIVIDUAL, SELF-EMPLOYMENT INCOME, AS DEFINED IN 26 U.S.C. § 1402(B)”.

On pages 13 and 14, strike in their entirety the lines beginning with line 23 on page 13 through line 3 on page 14, inclusive.

On page 14, after line 3, insert:

“(G) (1) THE MARYLAND DEPARTMENT OF HEALTH SHALL REIMBURSE EACH:

(I) COMMUNITY PROVIDER THAT IS REQUIRED TO BE LICENSED OR CERTIFIED UNDER TITLE 7 OF THE HEALTH – GENERAL ARTICLE FOR 100% OF THE EMPLOYER CONTRIBUTION REQUIRED UNDER SUBSECTION (F)

OF THIS SECTION FOR EMPLOYEES WHO MANAGE OR PROVIDE SERVICES UNDER TITLE 7 OF THE HEALTH – GENERAL ARTICLE;

(II) COMMUNITY PROVIDER THAT IS REQUIRED TO BE LICENSED OR CERTIFIED UNDER TITLE 7.5 OF THE HEALTH – GENERAL ARTICLE FOR A PERCENTAGE OF THE EMPLOYER CONTRIBUTION REQUIRED UNDER SUBSECTION (F) OF THIS SECTION FOR EMPLOYEES WHO MANAGE OR PROVIDE SERVICES UNDER TITLE 7.5 OF THE HEALTH – GENERAL ARTICLE THAT IS EQUAL TO THE PERCENTAGE OF REVENUE THAT IS ATTRIBUTABLE TO FEDERAL AND STATE MEDICAID FUNDING AND ANY OTHER STATE FUNDING RECEIVED BY THE COMMUNITY PROVIDER FOR THE SERVICES DURING THE PERIOD COVERED BY THE REIMBURSEMENT; OR

(III) PROVIDER, AS DEFINED IN § 16–201.4 OF THE HEALTH – GENERAL ARTICLE, FOR A PERCENTAGE OF THE EMPLOYER CONTRIBUTION REQUIRED UNDER SUBSECTION (F) OF THIS SECTION FOR EMPLOYEES WHO MANAGE OR PROVIDE SERVICES DESCRIBED IN § 16–201.4(A) OF THE HEALTH – GENERAL ARTICLE THAT IS EQUAL TO THE PERCENTAGE OF REVENUE ATTRIBUTABLE TO FEDERAL AND STATE MEDICAID FUNDING AND ANY OTHER STATE FUNDING RECEIVED BY THE PROVIDER FOR THE SERVICES DURING THE PERIOD COVERED BY THE REIMBURSEMENT.

(2) THE MARYLAND DEPARTMENT OF HEALTH SHALL MAKE THE REIMBURSEMENTS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION AT LEAST QUARTERLY.

(3) TO RECEIVE REIMBURSEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PROVIDER SHALL PROVIDE TO THE MARYLAND DEPARTMENT OF

HEALTH ANY INFORMATION NECESSARY TO CARRY OUT THIS SUBSECTION IN THE FORM AND MANNER REQUIRED BY THE MARYLAND DEPARTMENT OF HEALTH.”.

On page 20, in line 27, after “insurance” insert “THROUGH AN INSURER THAT HOLDS A CERTIFICATE OF AUTHORITY ISSUED BY THE MARYLAND INSURANCE COMMISSIONER”.

AMENDMENT NO. 5

On page 23, after line 2, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, on or before June 1, 2023, the Secretary of Labor shall adopt regulations as required under § 8.3–403 of the Labor and Employment Article, as enacted by Section 1 of this Act.”;

strike in their entirety lines 3 through 16, inclusive; after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2024, the Secretary of Labor shall adopt regulations as required under § 8.3–403 of the Labor and Employment Article.”;

strike in their entirety lines 17 and 18; in line 19, strike “4” and substitute “3.”; and strike beginning with “, except” in line 19 down through “Act,” in line 20.