

House Bill 1326

Maryland Healthy Working Families Act - Revisions and Public Health Emergency Leave

House Economic Matters Committee

March 2, 2021

Position: Oppose

Sponsored by Delegate Dumais

Written by Mat Rice

Honorable Chairperson and members of the committee: It is with extreme reluctance that The Arc Maryland one of the state's largest grassroots advocacy organizations which works to achieve full inclusion for those with intellectual and or developmental disabilities, and families opposes HB 1327, which would be expanded to require employers to provide paid leave to very part time and on-call workers as included in the Maryland Healthy Working Families Act.

More than 18,000 people in Maryland with intellectual and or developmental disabilities require staff supports to live their lives freely in their communities; these supports include but are not limited to assistance with bathing, feeding, toileting, dressing etc. There is a significant portion of the population of people with IDD receiving supports by the Developmental Disabilities Administration that utilize what is known as the Self-Directed Services option. This means that there is no provider agency; the individual acts as the common law employer. The support budgets that these individuals receive vary in size. Many of these individuals only have one or two staff in their employ and may have temporary or on call employees but do not have individual support budgets that would cover any increases in benefits to these employees. Unless additional state funding is provided for the expansion of leave benefits, they would not be able to bear the cost; not to mention that these individuals also rely on onboarding assistance from the fiscal management agency so those rates will most likely go up, thereby forcing individuals to sacrifice hours of needed supports to cover the anticipated FMS rate increases.

Traditional providers of supports, such as those under the Developmental Disabilities Administration, are prohibited by law from passing on any increased costs of doing business to the people with disabilities who receive the service. Any increased requirement in benefits such as these, without matching funding increases from the state, creates a hardship through an unfunded mandate. The bill does not include a provision for increased funding for Medicaid providers of the state.

For these reasons we respectfully oppose this legislation and request an unfavorable report.

Should you have any questions please contact Mat Rice, Director of Public Policy

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