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**SB 384 Health Facilities - Residential Service Agencies - Compliance With State Labor Laws
Favorable
Senate Finance Committee
February 11, 2021**

Good Afternoon Chairwoman Kelley and Members of the Senate Finance Committee. I am Tammy Bresnahan. I am the Director of Advocacy for AARP MD. AARP Maryland is one of the largest membership-based organizations in the Free State, encompassing almost 900,000 members. **AARP MD overwhelmingly supports SB 384 Health Facilities - Residential Service Agencies - Compliance With State Labor Laws.** We thank Senator Kelley for sponsoring this important legislation.

AARP is a nonpartisan, nonprofit, nationwide organization that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to families such as healthcare, employment and income security, retirement planning, affordable utilities and protection from financial abuse.

SB 384 defines personal care worker. SB 384 also creates a short guidance document explaining how independent-contractor misclassification applies to personal care aides and requires Residential Service Agencies to read it when they obtain and renew their license. It also creates a small expansion of the existing process the Maryland Department of Health uses to track workers' time, adding two columns to the existing spreadsheet for the worker's employment classification and pay rate.

Personal care workers who work for Maryland residential service agencies provide the bulk of paid long-term care. These paraprofessional workers hold a variety of job titles, including personal care assistants, home care aides, home health aides, and certified nursing assistants (CNAs). They work in diverse settings, including private homes, adult day centers, assisted living residences and other residential care settings, and nursing homes. More than a million direct care workers in the U.S. work at jobs that may include:

- assisting with personal care activities, such as bathing, dressing, toileting, transferring, and eating;
- providing comfort and companionship;
- observing and reporting changes in a client's condition;
- preparing meals and housekeeping;
- providing oversight for people with cognitive and mental impairments; and
- Administering medications and measuring vital signs.

AARP
Real Possibilities

Although the majority of personal care workers find their jobs intrinsically rewarding, they are often low paid with limited or no benefits, high workloads, unsafe working conditions, inadequate training, a lack of respect from supervisors, lack of control over their jobs, and few opportunities for advancement, all of which contribute to high turnover.

To a large extent, the challenges facing the personal care workforce in Long Term Services and Supports in Maryland reflect nationwide realities. The workforce is comprised almost entirely of historically marginalized workers—including women, people of color, and/or immigrants—who face significant obstacles in education and employment. Despite the demands of the job and the unequivocal importance of their contributions, these workers still struggle to make a livable wage and achieve economic stability.

SB 384 will help educate Residential Service Agencies about what existing Maryland law requires when they hire personal care aides especially if they hire these workers as contractual workers. Reporting this information will help the state learn more about how state money is being spent and how the workers who are paid with state dollars are classified. For these reasons, AARP supports SB 384. For questions, please contact Tammy Bresnahan tbresnahan@arp.org or by calling 410-302-8451.