



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

January 21, 2021

The Honorable Delores G. Kelley
Chair, Finance Committee
3 East Miller Office Building
Annapolis, MD 21401-1991

RE: SB0307 – Labor and Employment – Direct Care Workforce Innovation Program – Letter of Concern

Dear Chair Kelley:

The Maryland Board of Nursing (“the Board”) respectfully submits this letter of concern for SB0307 – Labor and Employment – Direct Care Workforce Innovation Program. This bill established the Direct Care Workforce Innovation Program in the Division of Workforce Development and Adult Learning within the Maryland Department of Labor. It requires the Division to provide grants to eligible entities to create and expand on successful recruitment and retention strategies that address certain barriers to increasing the population of direct care workers. It additionally requires the Governor to include a \$250,000 appropriation in the annual budget bill for the Program.

The current definition of “direct care workers” includes two disciplines that are currently unregulated in the state of Maryland (the personal aide and psychiatric aide). The Board is concerned that with the passing of this bill, the personal and psychiatric aide disciplines will be placed under their authority, as the Board currently oversees and enforces certification of nursing assistants (CNA) and geriatric nursing assistants (GNA). This would pose a significant operational and fiscal impact.

In addition, the term “eligible entity” does not account for a large number of entities that currently provide CNA/GNA/Home Health Aide (HHA) training, i.e., for-profit businesses. Excluding for-profit businesses may be problematic as it is unclear whether there are any non-profit entities, labor organizations, or organizations with shared labor management oversight that currently provide CNA/GNA/HHA training.

SB0307 does not address how the Program will account for existing laws and regulations governing the minimum requirements for approved CNA/GNA/HHA training programs. Limiting eligible entities would likely create inefficiency in the Program because these entities would need to develop a CNA/GNA/HHA training program and receive approval from both the Maryland Higher Education Commission (MHEC) and the Board before being able to receive a grant.

For the reasons discussed above, the Board of Nursing respectfully submits this letter of concern to SB0307.

I hope this information is useful. For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 – 1536 (iman.farid@maryland.gov) or Rhonda Scott, Deputy Director, at (410) 585 – 1953 (rhonda.scott2@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Hicks', written in a cursive style.

Gary N. Hicks
Board President

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.