



Comprehensive Nursing Services, Inc.
Comprehensive Home Health Services

February 5, 2021

Hon. Delores Goodwin Kelly
Miller Senate Office Building, 3 East Wing
11 Bladen St., Annapolis, MD 21401

Hon. Lily Qi
House Office Building, Room 223
6 Bladen St., Annapolis, MD 21401

Dear Senator Kelley and Delegate Qi,

My name is Dr. Mark Bayne, and I am the co-owner of Comprehensive Nursing Services, Inc. CNS is a licensed Residential Service Agency accredited by the Joint Commission. Recently I submitted written testimony in favor of SB384.

I support this bill as it justifies the unfairness that employees, patients, and the State of Maryland burden, unlike RSA's that operate using sub-contracted employees. However, I am asking that the bill expand its personal care aide definition to include LPN and RN's. These licensed professionals contribute to the caregivers' population and working under agencies using 1099 is unfair to them.

As stated in my testimony, applicants applying to my company find themselves to have tax struggles because of the lack of withholding Federal and State taxes, which results in unfairness to the employee. I am also concerned that the families being cared for may not be protected with workers' compensation or medical malpractice.

Additionally, this is unfair to the agencies such as mine, responsible for FUTA, Maryland unemployment, and FICA. We also carry professional liability and workers' compensation insurance. Agencies that employ subcontractors do not have this overhead and pay time and a half.

And finally, this practice is unfair to the State of Maryland because the State has lost revenue due to RSA's using subcontracted employees. The State of Maryland cannot collect State unemployment from these agencies". As I have stated, CNS paid over ten thousand dollars in Maryland unemployment tax in 2020.

I appreciate your attention to this issue as it has been something, I have been trying to bring light for some time. I hope that you consider expanding this bill to include LPN's and RN's. If you would like to discuss further, I would be happy to schedule a time to speak.

Thank You,

Mark Bayne, RN, PhD

Director of Nursing Services



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