



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

February 10, 2021

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

RE: Senate Bill 384 - Health Facilities - Residential Service Agencies - Compliance with State Labor Laws – Letter of Information

Dear Chair Kelley and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information on Senate Bill 384 – Residential Service Agencies - Compliance with State Labor Laws.

SB 384 requires the Office of the Attorney General, in consultation with MDH and the Maryland Department of Labor, to produce a guidance document, by December 30, 2021, concerning the application of employee protection laws to personal care aides employed by residential service agencies, requiring a residential service agency to certify certain information through the signature of a certain individual as a condition of obtaining or renewing a license, etc.

Due to ongoing COVID-19 response efforts, MDH unfortunately does not have the fiscal or personnel resources to implement this bill if it is passed. Many of MDH's current personnel have already increased their workload and absorbed additional tasks that are critical to the COVID-19 response.

We recognize and value the importance of this bill and its impact on Marylanders. As such, we respectfully request this bill be held and reintroduced in the 2022 Session. We look forward to working with the bill sponsor(s) and appropriate stakeholders in the interim.

I hope this information is useful. If you have questions or need more information about this subject, please do not hesitate to contact me at (410) 260-3190 or webster.ye@maryland.gov or Deputy Director of Governmental Affairs Heather Shek at heather.shek@maryland.gov and the same number.

Sincerely,

A handwritten signature in blue ink, appearing to read "Webster Ye".

Webster Ye
Assistant Secretary, Health Policy