

HOUSE BILL 1474

P4, J1

0lr3385
CF SB 693

By: **Delegates Acevero, Bridges, Chang, Charles, W. Fisher, Forbes, Haynes, Hettleman, Ivey, M. Jackson, Korman, J. Lewis, R. Lewis, Lierman, Proctor, Reznik, Solomon, Terrasa, Turner, Wells, Wilkins, and P. Young**

Introduced and read first time: February 7, 2020

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Maryland Department of Health – Pay Rates and Staffing**
3 **Requirements**

4 FOR the purpose of requiring that the pay rate for certain employees at Clifton T. Perkins
5 Hospital be at least a certain number of grades higher than a certain pay rate
6 effective on a certain date; requiring that the pay rate for certain employees in the
7 Behavioral Health Administration or the Developmental Disabilities Administration
8 be equal to the pay rate effective on a certain date for certain employees at Clifton
9 T. Perkins Hospital under certain circumstances; requiring, beginning on a certain
10 date, certain facilities to ensure that certain new employees are employed in a
11 certain position; requiring, beginning on a certain date, certain facilities to reclassify
12 certain employees on successful completion of a certain course and ensure certain
13 employee-to-patient ratios for certain units; providing for the application and
14 construction of certain provisions of this Act; and generally relating to the Maryland
15 Department of Health, pay rates for employees, and facility staffing requirements.

16 BY adding to
17 Article – State Personnel and Pensions
18 Section 8–203
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2019 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – State Personnel and Pensions**

24 **8–203.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) (1) THIS SUBSECTION APPLIES TO EMPLOYEES IN THE MARYLAND DEPARTMENT OF HEALTH WHO:

(I) HAVE DIRECT CONTACT WITH PATIENTS; AND

(II) ARE IN A POSITION CLASSIFIED IN ONE OF THE FOLLOWING BARGAINING UNITS:

1. BARGAINING UNIT D FOR HEALTH AND HUMAN SERVICES NON-PROFESSIONALS;

2. BARGAINING UNIT E FOR HEALTH CARE PROFESSIONALS;

3. BARGAINING UNIT F FOR SOCIAL AND HUMAN SERVICES PROFESSIONALS; OR

4. BARGAINING UNIT H FOR PUBLIC SAFETY AND SECURITY PERSONNEL.

(2) THE PAY RATE FOR AN EMPLOYEE AT THE CLIFTON T. PERKINS HOSPITAL WHO IS NOT RECEIVING A FORENSIC PAY PREMIUM SHALL BE AT LEAST TWO GRADES HIGHER THAN THE EMPLOYEE'S PAY RATE EFFECTIVE JUNE 30, 2020.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PAY RATE FOR AN EMPLOYEE IN THE BEHAVIORAL HEALTH ADMINISTRATION OR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION SHALL BE EQUAL TO THE PAY RATE EFFECTIVE JULY 1, 2020, FOR SIMILARLY TRAINED, QUALIFIED, OR LICENSED EMPLOYEES AT THE CLIFTON T. PERKINS HOSPITAL IF THE EMPLOYEE WORKS AT A FACILITY THAT HAD A FORENSIC ADMISSION RATE GREATER THAN 75% FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO DECREASE THE PAY RATE OF ANY EMPLOYEE.

(B) (1) BEGINNING JULY 1, 2020, FOR ANY FACILITY THAT HAD A FORENSIC ADMISSION RATE GREATER THAN 75% FOR THE IMMEDIATELY PRECEDING FISCAL YEAR, THE FACILITY SHALL:

(I) ENSURE THAT ANY NEW EMPLOYEES HIRED FOR A SECURITY PERSONNEL POSITION AT THE FACILITY ARE EMPLOYED IN A SECURITY ATTENDANT POSITION;

1 (II) RECLASSIFY ANY EMPLOYEE IN A BUILDING SECURITY
2 OFFICER POSITION INTO A SECURITY ATTENDANT POSITION ON THE SUCCESSFUL
3 COMPLETION BY THE EMPLOYEE OF A CORRECTIONAL TRAINING COURSE
4 APPROVED BY THE CORRECTIONAL TRAINING COMMISSION UNDER TITLE 8,
5 SUBTITLE 2 OF THE CORRECTIONAL SERVICES ARTICLE; AND

6 (III) ENSURE THAT THE SECURITY ATTENDANT
7 EMPLOYEE-TO-PATIENT RATIO IS NOT LESS THAN:

8 1. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY
9 THREE PATIENTS IN MAXIMUM SECURITY UNITS; AND

10 2. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY
11 12 PATIENTS IN MINIMUM SECURITY UNITS.

12 (2) THIS SUBSECTION MAY NOT BE CONSTRUED TO ELIMINATE THE
13 POSITION, OR DECREASE PAY, OF ANY EMPLOYEE IN A BUILDING SECURITY
14 OFFICER POSITION WHO CHOOSES NOT TO PARTICIPATE IN, OR FAILS, A
15 CORRECTIONAL TRAINING COURSE APPROVED BY THE CORRECTIONAL TRAINING
16 COMMISSION UNDER TITLE 8, SUBTITLE 2 OF THE CORRECTIONAL SERVICES
17 ARTICLE.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2020.