

SENATE BILL 693

P4, J1

0lr3379
CF HB 1474

By: **Senators Guzzone, Benson, King, Klausmeier, Kramer, ~~and Zucker~~ Zucker, Elfreth, Griffith, McCray, Peters, and Rosapepe**

Introduced and read first time: February 3, 2020

Assigned to: Finance and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2020

CHAPTER _____

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~~ dates, certain facilities to
12 reclassify certain employees on successful completion of a certain course and ensure
13 certain employee-to-patient ratios for certain ~~units~~ facilities; providing for the
14 application and construction of certain provisions of this Act; and generally relating
15 to the Maryland Department of Health, pay rates for employees, and facility staffing
16 requirements.

17 BY adding to
18 Article – State Personnel and Pensions
19 Section 8–203
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – State Personnel and Pensions**

4 **8–203.**

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

7 (I) HAVE DIRECT CONTACT WITH PATIENTS; AND

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

10 1. BARGAINING UNIT D FOR HEALTH AND HUMAN
11 SERVICES NON–PROFESSIONALS;

12 2. BARGAINING UNIT E FOR HEALTH CARE
13 PROFESSIONALS;

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

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

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

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

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

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

1 (I) BEGINNING JULY 1, 2020, ENSURE THAT ANY NEW
2 EMPLOYEES HIRED FOR A SECURITY PERSONNEL POSITION AT THE FACILITY ARE
3 EMPLOYED IN A SECURITY ATTENDANT POSITION;

4 (II) BEGINNING JULY 1, 2020, RECLASSIFY ANY EMPLOYEE IN A
5 BUILDING SECURITY OFFICER POSITION INTO A SECURITY ATTENDANT POSITION
6 ON THE SUCCESSFUL COMPLETION BY THE EMPLOYEE OF A CORRECTIONAL
7 TRAINING COURSE APPROVED BY THE CORRECTIONAL TRAINING COMMISSION
8 UNDER TITLE 8, SUBTITLE 2 OF THE CORRECTIONAL SERVICES ARTICLE; AND

9 (III) BEGINNING JULY 1, 2021, ENSURE THAT THE SECURITY
10 ATTENDANT EMPLOYEE-TO-PATIENT RATIO IS NOT LESS THAN:

11 1. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY
12 THREE PATIENTS IN MAXIMUM SECURITY ~~UNITS~~ FACILITIES; AND

13 2. ONE SECURITY ATTENDANT EMPLOYEE FOR EVERY
14 12 PATIENTS IN MINIMUM SECURITY ~~UNITS~~ FACILITIES.

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.