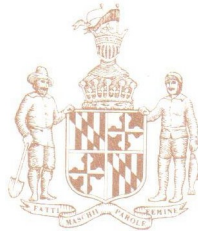


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Legislative District 10
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

2019 POST SESSION NEWSLETTER

Dear Constituents and friends:

I write to you this year in my new role as Chair of the Senate Finance Committee, which handles legislation and issues regarding banking, insurance, public utilities, health care policy, child welfare, aging, economic development, and the Port of Baltimore. I am no longer Vice Chair of the Senate Judicial Proceedings Committee.

The 2019 Session of the Maryland General Assembly ended at midnight on Monday, April 8th. Thanks to everyone who contacted our office with questions and/or with advice regarding any of the over 3,000 Bills introduced this year. It is often very helpful to get your perspective on these very important issues. For those of you who would like to find out more information about my Bills or any other Bills, you can visit the Maryland General Assembly website, <http://mgaleg.maryland.gov>, and use the search options under the "Legislation by Session" tab. You will be able to search by sponsor (legislator, department, or board/commission), broad subject, narrow subject, and committee.

During the recent 90-day session of the General Assembly, I was contacted by hundreds of you, as well as by Marylanders of other districts and people from out of state, urging either support for or opposition to various Bills that were under consideration as well as about line items in the state budget. In many cases, the calls, letters, emails and office visitors were equally split on many of their issues. In general, those Marylanders who had greater knowledge regarding their issues and who actually came in to testify were much more persuasive than those advocates who simply shared mass emails, letters, post cards, flyers or phone messages about which they had little or no personal knowledge.

Legislative Update 2019

I was the lead sponsor this year of ten (10) bills which were passed in both the Senate and in the House of Delegates. Once the governor signs my Bills, they will be Maryland Law.

- 1) **SB 192-** Estates and Trusts - Elective Share of Surviving Spouse
- 2) **SB 195-** Public Health - Prescription Drug Monitoring Program - Revisions
- 3) **SB 220-** Maryland Medical Assistance Program - Coverage of Dental Services - Repeal of Contingency
- 4) **SB 227-** Insurance - Principle-Based Reserves
- 5) **SB 495-** Medical Laboratories - Laboratory Tests and Procedures - Advertising
- 6) **SB 522-** Virginia I. Jones Alzheimer's Disease and Related Disorders Council - Revisions
- 7) **SB 597-** Maryland Health Care Commission - State Health Plan and Certificate of Need for Hospital Capital Expenditures
- 8) **SB 698-** Continuing Care Retirement Communities - Mediation - Representation by Counsel
- 9) **SB 699-** Maryland Medical Assistance Program - Home- and Community-Based Waiver Services - Prohibition on Denial
- 10) **SB 904-** Maryland Department of Health - Family Planning Program - Funding

The full texts of these Bills, the listing of any co-sponsors, and the fiscal note for each Bill can be reviewed on the website of the Maryland General Assembly.

Prescription Drug Benefits for Maryland State Retirees-SB 946/HB 1120

During the 2019 General Assembly, both the Senate and the House of Delegates passed legislation to permanently lower the out-of-pocket costs of prescription drugs for Maryland State retirees. Senate Bill 946/HB 1120 will provide the following relief:

- The bills create two new programs to assist current and future retirees who were hired prior to July 1, 2011 by limiting out-of-pocket prescription drug costs.
- Current Medicare eligible retirees, spouses, and dependents can enroll in a new Maryland State Retiree Prescription Drug Coverage Program that will limit out-of-pocket annual prescription drug costs to the same limits as the State employee drug prescription plan-currently a limit of \$1,500 per individual and \$2,000 per family.
- Employees who retire after January 1, 2019 can enroll in a new Maryland State Retiree Catastrophic Prescription Drug Program that will limit out-of-pocket annual prescription drug costs once they, their spouses, or dependents are Medicare eligible to the Medicare Part D Catastrophic coverage level-approximately \$2,500.
- The Programs are authorized to provide reimbursement for the out-of-pocket limits in each program through Health Reimbursement Arrangements under the IRS Code which means they are not taxable to the retiree or the retiree's dependents.
- The State will hire a company to provide individual consulting services to Medicare-eligible retirees for at least 3 months prior to and during the next Medicare Part D open enrollment period.

Prescription Drug Affordability Board-SB 759/HB 768

The rising costs of prescription drugs is a nationwide problem. This year, the General Assembly passed legislation to create a new Board to evaluate factors which increase significantly the prices of certain high cost life-saving drugs that are no longer affordable for most Marylanders.

Prescription Drug Affordability Board-SB 759 /HB 768-continued

This new Board, and a related Stakeholder Council are to enter data-sharing agreements with other states regarding their research findings and their strategies for controlling drug pricing by manufacturers, by Pharmacy Benefit Managers, by other wholesale distributors, health insurers, HMOs, and by MCOs. Among states that are likely partners on this issue are New Jersey, Vermont and California. Maryland's new Prescription Drug Affordability Board is required to report its findings and recommendations by December 31, 2020.

This year's legislation was strongly supported by the Maryland Medical Society (I led Chi), AARP, Maryland State NAACP, the Maryland State Education Association, and by AFSCME.

Maryland Easy Enrollment Health Insurance Program-SB 802

Many Marylanders who have no health insurance don't know what steps to take in order to become insured. Senate Bill 802 was enacted in order to help these Marylanders get on a simple path for enrolling in health insurance. This new law allows Marylanders to simply check a new box on their annual state income tax form to initiate the process of enrolling in a health insurance program of their choice. Currently 15,000 uninsured Maryland children and 35,000 uninsured adults actually qualify for zero-premium health insurance through Medicaid.

Emergency Relief for Civilian Federal Employees Required to Work Without Pay

From December 22, 2018, until January 25, 2019, portions of the federal government were shut down, and many federal employees had to endure the shutdown without pay. Some were even required to continue to work without pay. According to data from the Office of Personnel Management, there are about 129,000 federal civilian Executive Branch jobs located in Maryland, excluding the Postal Service and classified agencies. Employment at departments and agencies affected by that shutdown totaled almost 43,000 persons.

Emergency Relief for Civilian Federal Employees Required to Work Without Pay-continued

Furloughed employees who were not forced to work are eligible for unemployment benefits. But because of a glitch in federal law, others were forced to work without pay.

This problem led us to pass an emergency bill - Senate Bill 391 - to ensure that all civilian federal employees who are required to report to work and are not being paid, because the federal government is in a full or partial shutdown, have access to either unemployment insurance (UI) benefits or a no-interest loan program. The Governor signed this emergency bill in late March.

Another successful Bill, SB 512, provides further protection against utility service terminations, foreclosures, and evictions for employees of the federal or State government or a local government in the State who are involuntarily furloughed from work without pay because of a government shutdown.

Renewable Energy Legislation

Maryland's Renewable Energy Portfolio was enacted in 2004 to facilitate a gradual transition to renewable sources of energy. In response to the growing threat of climate change, the General Assembly passed Senate Bill 516, the Clean Energy Jobs Act, which increases the amount of renewable energy electricity suppliers must purchase from 25% by 2020 to 50% by 2030. The Bill provides a significant boost to the State's clean energy economy by requiring more wind and solar energy to be developed within the State or off Maryland's coast. I regret that the incineration of trash was included as a form of subsidized renewable energy.

Gradual Increase in Maryland's Minimum Wage-SB 280/HB 166

This successful bill incrementally increases Maryland's minimum wage from the current \$10.10 per hour to \$15.00 per hour. Small employers with 14 or fewer employees have until January 1, 2028 to reach \$15.00 per hour, while other employers must reach the \$15.00 per hour minimum wage by July 1, 2026. The wages of restaurant workers who receive tips were not raised, but the legislation requires their employers to provide them with wage statements that specify their hourly tipped wage rates.

Gradual Increase in Maryland's Minimum Wage-SB 280 /HB 166

Non-profit agencies whose clients require essential health services for daily living are largely funded by the State, and their budgets will increase an average of 4% per year between 2019 and 2020 so that the wages of their employees can keep up with the incremental wage increases, mandated by the newly enacted minimum wage law.

Governor Hogan vetoed the minimum wage legislation, but the General Assembly has overridden the Governor's veto, and the legislation increasing Maryland's minimum wage is now enacted into law.

Business Regulation-Tobacco Products-Electronic Smoking Devices-Revisions

In the Senate, I was the lead sponsor of legislation which successfully raised the age of the purchase of tobacco and nicotine products from 18 to 21 years old. The National Academy of Medicine (NAM) predicts that by raising the age for tobacco use to 21, that smoking will be reduced by 25% among ages 15-17. Teens have been entrapped into smoking in many instances by candy-flavored vaping pens or by flavored e- cigarettes.

The 32nd Surgeon General's report shows that the economic costs attributable to smoking and exposure to tobacco smoke form both direct medical costs and lost productivity is \$300 billion annually.

Using smokeless tobacco products is only slightly less dangerous than smoking cigarettes. The National Academies of Sciences, Engineering and Medicine have reported that the odds are that using e-cigarettes will eventually lead to failing health. An estimated 350 kids under age 18 become regular daily smokers. The Surgeon General estimates that about 1/3 of those kids will eventually die from cancer.

Studies have consistently shown that those who begin smoking before age 20 are more likely to become life-long smokers. Just one cigarette a day can shorten your life by raising the risk of heart disease. I do regret one weakening amendment which legalizes the underage sale of tobacco on military bases in Maryland.

Senatorial Scholarship Applications

Many students in the 10th Legislative District compete annually for about 25 available Senatorial Scholarships, which may be used for education at any accredited college, university, or post-secondary trade school, including for undergraduate, graduate, and professional programs. These scholarships cannot be used at a non-Maryland institution unless the Maryland Higher Education Commission rules that a student's proposed major is not available in Maryland.

In a few weeks, my Senatorial Scholarship Committee will evaluate and make recommendations regarding 2019 scholarship applications submitted by current and prospective certification and degree-seeking students from the district. Since our application deadline has passed, please contact our office in January 2020 for application information for the 2020-2021 academic year.

Senatorial Scholarships may be awarded to both full-time and part-time students who enroll for at least six credits per semester. Other state scholarships available to Maryland residents can be found on the Maryland Higher Education Commission website: <http://www.mhec.state.md.us>.

Community Outreach

My staff and I continually do community outreach in order to identify organized community groups which include residents of the 10th Legislative District. If we have missed your organization, please call 410-841-3606 or send an email to delores.kelley@senate.state.md.us, with the name of the community organization, name of the President, contact information (email, mailing address, phone number), and pertinent information regarding community meetings.

If your organization would like to request my presence at a meeting or event, I would appreciate an invitation 3 to 4 weeks in advance. Since there is only one of me and many of you, I may not be available at your preferred date, but will do the very best that I can. It is my pleasure to serve you in the Maryland Senate.