



UNIVERSITY OF MARYLAND, BALTIMORE
LEGISLATIVE SESSION IMPACT REPORT
2022





The University of Maryland, Baltimore (UMB) is a tremendous resource for the people of Maryland. Our role as a public university is most apparent every January as the Maryland General Assembly convenes its legislative session. UMB's status manifests itself in two ways. On one hand, through the legislative process, UMB receives a considerable amount of state funding. On the other hand, UMB's faculty experts, administrative leaders — and even our students — provide information and conduct advocacy on key bills, influencing law and public policy.

This report captures both aspects of our public role. It begins with an overview of actions by the legislature on UMB's operating and capital budgets. The second half outlines key bills and shares excerpts of testimony provided by UMB faculty and staff to show how their advocacy framed some of the most important issues considered by the General Assembly.

I. Maryland State Budget Overview

Unprecedented federal aid provided in response to the COVID-19 pandemic contributed to better-than-anticipated revenue performance, providing the state with a historic general fund surplus. Recognizing that the availability of the sizable general fund balance was partially dependent on one-time revenue sources and acknowledging the potential risks of high inflation and other economic uncertainties, spending by both the administration and the legislature during the 2022 session was focused on one-time investments in capital infrastructure, facility renewal, and assistance to individuals and businesses impacted by the pandemic.

As introduced, the Governor's Fiscal Year 2023 budget plan proposed \$58.0 billion in total spending, reflecting a \$3.3 billion (5.4 percent) decrease from the FY 2022 spending plan. The net reduction in funding for the total budget masked significant change among the different funds, as general fund spending increased by \$4.6 billion (21.9 percent) due to a \$2.4 billion mandatory appropriation to the Rainy Day Fund and the need to backfill the loss of temporary federal aid. Absent the appropriation to the Rainy Day Fund, general fund growth was limited to 13.3 percent. The increase in general funds was outweighed by the loss of \$7.8 billion in federal funds, a 30.6 percent decrease in the total federal fund appropriation for the state, although the governor's allowance included no appropriations from the Infrastructure Investment and Jobs Act, which is expected to provide the state with more than \$2.8 billion in new funding over the next five years. As part of his fiscal plan, he also proposed legislation to eliminate business filing fees for online filers and phase-out taxes on retirement income over six years. The General Assembly passed bills that provide about \$350 million of tax relief in FY 2023 and made numerous other long-term funding commitments to operating and capital priorities.

The FY 2023 budget provides over \$5 billion in capital investments, fulfills all mandates, and provides state employees with over \$590 million in compensation enhancements. Final action on



the budget leaves an estimated general fund cash balance of \$219 million at the end of FY 2023, in addition to \$2.4 billion in the Rainy Day Fund.

Recognizing the unique opportunity presented by the availability of a \$6.1 billion cash surplus, the legislature worked with the administration throughout the course of the 2022 session on the best uses of the funds. Per the agreement between the two branches, over \$1.4 billion of the funding added through supplemental budgets supported legislative priorities, while \$350 million in tax relief was provided and a fund balance in the Rainy Day Fund equal to 10 percent of general fund revenues was maintained based on the revised March estimate.

Own-source revenues for the state's public four-year higher education institutions and Baltimore City Community College decline by \$53.4 million to \$4.8 billion in FY 2023. State operating support excluding PAYGO for these institutions increases by \$370.4 million, or 21 percent, in FY 2023, bringing total revenues for higher education to \$6.9 billion, a 4.5 percent increase over FY 2022.

With respect to personnel, the size of the regular state workforce increases by 227 positions to 80,904 regular positions in FY 2023. The budget provides most state employees a 1 percent cost-of-living adjustment (COLA), increments, and \$1,000 or \$1,500 bonuses effective Jan. 1, 2022; and a 3 percent COLA and increments effective July 1, 2022. Law enforcement union members are provided with a 7 percent COLA and increments effective July 1, 2022. The judiciary's budget provides for a 3.5 percent merit increase.

The approved budget also includes \$25 million in funding for apprenticeship programs. The budget committees also directed the Maryland Department of Labor to establish workgroups to study public safety, health, and transportation vacancies in state employment and the potential for the creation of apprenticeship programs to assist in recruiting for the state workforce.

a. Higher Education Budget Overview

State support for higher education in the FY 2023 budget totals \$2.9 billion, an increase of \$518.4 million, or 21.8 percent, over FY 2022. Public four-year institutions receive the bulk of the new state funds, totaling \$367.9 million, which include new general funds, monies from the Higher Education Investment Fund, and monies from the Cigarette Restitution Fund (CRF). This amount includes \$37.5 million budgeted to the public four-year institutions related to the settlement for Historically Black Colleges and Universities (HBCUs).

The largest portion of this increase supports statewide personnel adjustments (\$138.0 million) across the institutions and fully restoring funding that was reduced in 2021 Board of Public Works action for the University System of Maryland (\$93.8 million). Supplemental budgets



provided a combined \$27.2 million for the institutions, the largest component of which is \$22.0 million for additional financial support for the public four-year institutions.

Independent institutions receive \$118.6 million through the Joseph A. Sellinger Formula in FY 2023, an increase of \$29.8 million, or 33.5 percent, from FY 2022. The significant increase in FY 2023 is primarily related to the annualization of the FY 2022 and FY 2023 general salary increases, and the restoration of reductions for USM taken by the Board of Public Works (BPW) in FY 2021.

State funding for local Community Colleges increases by \$63.8 million, or 17.2 percent, over FY 2022. Funding under the Senator John A. Cade Funding Formula grows by \$65.0 million, while funding for community college retirement programs decreases by \$1.2 million. The large growth in FY 2023 reflects an increase in the funding formula to 29 percent of funding provided to the selected public four-year institutions; this level is the statutory maximum funding to be received under the current funding formula.

b. *USM Operating Budget*

The University System of Maryland (USM) receives an increase of \$308.1 million, or 19.7 percent, over FY 2022, which includes \$128.4 million for the annualization of the FY 2022 general salary increases and increments as well as general salary increases in FY 2023. Other increases include \$93.8 million to restore the remaining portion of the FY 2021 BPW reduction, of which \$20.0 million is to be used to expand and enhance student mental health services. An increase of \$25.3 million is related to statewide cost allocations, with the majority of the increase associated with health insurance. The USM office is provided \$20.0 million to allocate to institutions for need-based aid and \$1.0 million to support ARTSYS (Articulation System for Maryland Colleges and Universities).

The USM budget provides its constituent HBCUs (specifically, Bowie State, UMES, and Coppin State) with a total of \$22.2 million (\$6.2 million in general funds and \$16.0 million from CRF) as mandated in Chapters 41 and 42 of 2021.

c. *UMB Operating Budget*

The FY 2023 legislative allowance for UMB includes \$258.4 million in general funds and \$17.4 million in Higher Education Investment Funds. The allowance also includes tuition and fee income of about \$181.4 million — an increase of \$5.8 million over last year. These funds will help support increases to facilities renewal, debt service, student aid, and other needs.



d. *Direct UMB Initiatives of Interest*

- **\$20.7 million for Cigarette Restitution Fund research** for the University of Maryland Marlene and Stewart Greenebaum Comprehensive Cancer Center
- **\$5.0 million** (\$2.5 million each) to UMB and the University of Maryland, College Park (UMCP) for the Center for Maryland Advanced Ventures — a portion of which must be used to encourage the development and location of technology companies in Baltimore City and Prince George’s County, respectively.
- **\$2.0 million** for the *MPowering the State* steering committee, a strategic partnership between UMB and UMCP
- **\$1.0 million** to University of Maryland School of Medicine for pediatric cancer research.
- **\$2.5 million to endow a chair** at the University of Maryland Francis King Carey School of Law’s proposed Miller Center for Democracy and the Law.
- **\$1.285 million for the School of Nursing’s Wellmobile.** This reflects the purchase of one new vehicle and operating funds for the program. It was funded at \$285,000 for FY 2022.
- **\$4.4 million for the Physicians and Physician Assistants Loan Assistance Repayment Program (LARP).** UMB has been advocating for increased funding for LARP so more applicants can receive funding and the program can return to a higher level of funding to match federal dollars. State funding for LARP had decreased to \$390,000 for FY 2020. We were successful in raising the level to \$800,000 for FY 2021 and \$1 million for FY 2022.
- **\$3 million for the Nursing Loan Assistance Repayment Program** for nurses and nursing workers
- **\$7.0 million** to the School of Medicine to provide clinical care at the University of Maryland Regional Medical Center and specialized care at University of Maryland rural hospitals
- **\$125,000 each** to UMB and the University of Baltimore to establish the Legal Education Success Collaborative



- **\$350,000 to hire additional staff** at the University of Maryland Clinical Center for Adults with Neurodevelopmental Disorders and the Tuberous Sclerosis Complex Center of Maryland
 - **\$350,000 to provide funds to establish a consumer health access program for mental health and addiction care** (this will likely be housed within the School of Social Work)
- e. ***Other Operating Funding Items of Interest to UMB***
- **\$5.3 million for the Maryland Innovation Initiative:** Provides funding through the Maryland Technology Development Corporation (TEDCO) to promote and accelerate the rate of commercializing research conducted at five Maryland research universities (Johns Hopkins, Morgan State, UMCP, UMB, and the University of Maryland, Baltimore County) on commercialization proposals, strategies, and funding sources, including with federal laboratories located in Maryland, and to facilitate technology transfer from university labs to startup companies.
 - **\$750,000 to provide rental assistance** to qualified businesses located in the Regional Institution Strategic Enterprise Zone
 - **\$8.5 million for the E-Innovation Initiative:** Provides matching funds to nonprofit institutions of higher education for the creation of research endowments. Funds must be spent to advance basic and applied research in scientific and technical fields of study. Funding this year was provided via supplemental budget from the governor.
 - **\$20.5 million for Maryland Stem Cell Research Fund:** Provides funding through TEDCO to support stem cell research and development grants for Maryland's research universities and private sector research corporations. This final amount includes the reinstatement of \$1 million that was originally cut in the governor's budget.
 - **Maintained \$1.1 million in funding for the Graduate and Professional Scholarship Program** to provide financial assistance to full-time and part-time students in the fields of medicine, dentistry, law, pharmacy, nursing, social work, and veterinary medicine.
 - **Maintained \$1.2 million in funding for Workforce Shortage Student Assistance Grants** to aid students studying in the following workforce shortage fields: (1) school teachers (Sharon Christa McAuliffe Memorial Teacher Scholarship); (2) social workers



(Ruth M. Kirk Public Social Work Scholarship); (3) nurses; (4) child care providers (Hattie N. Harrison Memorial Scholarship); (5) developmental disabilities, mental health, child welfare, and juvenile justice (Ida G. and L. Leonard Ruben Scholarships); (6) physical and occupational therapists and assistants; and (7) public servants (William Donald Schaefer Scholarship and Parren J. Mitchell Public Service Scholarship)

- **\$18.1 million in funding for the Nurse Support Program II** to fund initiatives to expand the number of bedside nurses in the state
- **Nearly \$24 million in general funds** (\$68.5 million total funds) to fund physician evaluation and management rates at 100 percent of the rate reimbursed by Medicare — affects Faculty Physicians, Inc. Historically, this has been funded at only 93 percent of Medicare.
- **\$50 million** for one-time assistance to hospitals for workforce support.

f. *UMB Capital Funding*

- **\$16.1 million for Central Electric Substation and Electrical Infrastructure Upgrades:** The need to upgrade the electrical infrastructure serving the UMB campus and to provide redundancy to ensure continuity of service was identified several years ago. The total Capital Improvement Program award amount for the electrical infrastructure project is \$82.968 million.
- **\$4.996 million Capital Facilities Renewal Projects:** For campuswide improvements such as facade stabilization and roof improvements, as well as mechanical and electrical infrastructure upgrades. UMB received \$3.797 million last year.
- **\$5 million for a new School of Social Work building:** To begin design of a building for a new School of Social Work. Includes \$2.5 million from last year that was authorized by the General Assembly but not appropriated by the governor until this upcoming fiscal year.
- **\$2 million for the School of Medicine Anatomy Lab** for renovations and improvements.

g. *Other Capital Funding Items of Interest to UMB*



- **\$100 million** for the expansion of the University of Maryland Marlene and Stewart Greenebaum Comprehensive Cancer Center in downtown Baltimore to provide state-of-the-art inpatient and outpatient cancer services.
- **\$40 million** for construction of the University of Maryland Medical System Capital Region Medical Center Oncology Center and \$27 million preauthorized for FY 2024.
- **\$26 million for R Adams Cowley Shock Trauma Center Renovation, Phase III:** This project replaces the current trauma resuscitation unit with a trauma and critical care resuscitation center, relocates the acute care transfusion service, constructs an observation unit, expands the outpatient pavilion, and modernizes the hyperbaric chamber.
- **\$10 million for the Downtown Partnership** to support the Blueprint process and initiatives, with a promise for \$20 million more in the next two fiscal years.
- **\$4 million for the Hippodrome Foundation, Inc.:** A grant to the Board of Directors of the Hippodrome Foundation, Inc., for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the France-Merrick Performing Arts Center, located in Baltimore.

h. *Committee Narrative and Budget Amendments*

At times, the budget committees wish to express legislative intent or request USM to perform certain studies or reports on particular issues during the interim. This is usually written as “committee narrative” in the chairmen’s report of the budget committees’ action. Committee narrative does not have the effect of law. However, both budget committees must agree on the wording.

USM and the affected institutions will respond to committee narrative on the following issues:

Interagency Agreements *SECTION 27. AND BE IT FURTHER ENACTED, That on or before August 1, 2022, each State agency and each public institution of higher education shall report to the Department of Budget and Management (DBM) any agreements in place for any part of fiscal 2022 between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 over the term of the agreement. Further provided that DBM shall provide direction and guidance to all State agencies and public institutions of higher education as to the procedures and specific elements of data to be reported with respect to these interagency agreements, to include at a minimum:*



- (1) a common code for each interagency agreement that specifically identifies each agreement and the fiscal year in which the agreement began;*
- (2) the starting date for each agreement;*
- (3) the ending date for each agreement;*
- (4) a total potential expenditure, or not-to-exceed dollar amount, for the services to be rendered over the term of the agreement by any public institution of higher education to any State agency;*
- (5) a description of the nature of the goods and services to be provided;*
- (6) the total number of personnel, both full- and part-time, associated with the agreement;*
- (7) contact information for the agency and the public institution of higher education for the person(s) having direct oversight or knowledge of the agreement;*
- (8) total indirect cost recovery or facilities and administrative (F&A) expenditures authorized for the agreement;*
- (9) the indirect cost recovery or F&A rate for the agreement and brief description of how the rate was determined;*
- (10) actual expenditures for the most recently closed fiscal year;*
- (11) actual base expenditures that the indirect cost recovery or F&A rate may be applied against during the most recently closed fiscal year;*
- (12) actual expenditures for indirect cost recovery or F&A for the most recently closed fiscal year; and*
- (13) total authorized expenditures for any subaward(s) or subcontract(s) being used as part of the agreement and a brief description of the type of award or contract.*

Further provided that DBM shall submit a consolidated report to the budget committees and the Department of Legislative Services by December 1, 2022, that contains information on all agreements between State agencies and any public institution of higher education involving potential expenditures in excess of \$100,000 that were in effect at any time during fiscal 2022.

Further provided that no new higher education interagency agreement with State agencies with a projected value in excess of \$500,000 may be entered into during fiscal 2023 without prior approval of the Secretary of Budget and Management.

Explanation: This annual language requires DBM to report on all interagency agreements between state agencies and public institutions of higher education having a total potential expenditure over the term of the agreement in excess of \$100,000. This applies only to agreements for the purchase of goods and/or services and does not apply to grants or space agreements. Further, it requires that no new higher education interagency agreement with state agencies with a projected value in excess of \$500,000 be entered into during FY 2023 without prior approval of the Secretary of Budget and Management.

M00F05.01 Post Mortem Examining Services Report on Forensic Pathologist Recruitment and Financial Assistance in Higher Education Institutions: *The Office of the Chief Medical*



Examiner (OCME) under the Maryland Department of Health (MDH) has reported persistent issues filling vacant medical examiner positions. This coincides with national shortages of forensic pathologists at a time when the opioid crisis and rising homicide rates has caused a higher need for autopsies. Contributing to the workforce shortage is an insufficient number of physicians graduating from higher education institutions choosing to pursue forensic pathology. Therefore, the budget committees request that OCME, in consultation with the University of Maryland, Baltimore Campus (UMB) and the Maryland Higher Education Commission (MHEC), submit a report by November 1, 2022, including:

- *current and upcoming efforts to increase the number of forensic pathologists graduating from higher education institutions in Maryland;*
- *a description of any partnerships between OCME and higher education institutions for informing students of OCME job opportunities and recruiting recent graduates and fellows;*
- *funding opportunities for scholarships and other financial aid at higher education institutions for students in forensic pathology programs or other programs that could support OCME staffing needs;*
- *any changes or additional funding that could make existing Loan Assistance Repayment Programs (LARP) accessible to forensic pathologists; and*
- *steps that would be needed to develop a new LARP for forensic pathologists and the resource availability to implement this type of program.*

R00A02.13 Innovative Programs Status Update on the Pathways in Technology Early College High School (P-TECH) Program: *The committees are concerned about increasing costs for the P-TECH program, which is managed by the Maryland State Department of Education (MSDE) and local education agencies (LEA). Costs for the P-TECH program are determined by a variety of factors, including student enrollment in community college courses and the costs for those courses in any given year. MSDE admits that the agency does not have a systematic method for collecting those costs on an annual basis, although the agency is working with LEAs and community colleges to resolve this issue. The committees request that MSDE submit a status update on the P-TECH program by August 1, 2022, that provides the following information regarding this issue:*

- *current enrollment in all P-TECH programs by high school, community college, cohort, and entry year;*
- *projected enrollment in all P-TECH programs in the 2022-2023 and 2023-2024 school years;*
- *the total number of students who left the program in any given year and reasons for departure;*
- *the total number of students who have graduated by program and the percentage completion rate;*



- *community college courses attended by P-TECH students with a cost per course per semester;*
- *current cost for the program in fiscal 2023 and total projected cost for the program in fiscal 2024;*
- *average cost by student, program, and LEA for fiscal 2022; and*
- *projected average cost by student, program, and LEA for fiscal 2023 and 2024, including supplemental school and college grants by institution and LEA.*

Child Welfare Caseload Data: *The committees believe that maintaining an adequate child welfare workforce is essential to improving outcomes for children entering the State's care. Therefore, in order to maintain oversight of this important issue, the committees request that the Department of Human Services (DHS) report to the committees on the number of cases and positions required based on the caseload to meet the Child Welfare League of America (CWLA) caseload standards, by jurisdiction.*

The committees also request that DHS discuss specific actions taken by the department and local departments of social services to reallocate positions, including the number of positions reallocated by type (caseworker or supervisor) between jurisdictions and identifying the jurisdictions that these positions were transferred from and to, in order to ensure that all jurisdictions can meet the standards for both caseworkers and supervisors. It is the intent of the committees that DHS establish a partnership with the University System of Maryland and Morgan State University for the recruitment of Master of Social Work graduates into open child welfare caseworker positions. The report should include a discussion of these partnerships, in particular including a discussion of potential incentives or scholarships that could be offered to students enrolled in a Master of Social Work degree program at these institutions.

Apprenticeship Workgroups for Targeted Occupations: *The committees are concerned with the ever-present and increasing workforce shortages among government employees, particularly within the public safety, health, and transportation sectors. More needs to be done to enhance the pipeline for connecting students and other individuals aged 16 and older with meaningful employment within State and local government.*

In an effort to address ongoing staffing concerns and explore potential opportunities for attracting individuals into public service, the committees direct the Maryland Department of Labor (MDL) to establish individual workgroups to study and report on the short-term and long-term occupation needs in each of the respective sectors of public safety, health care, and transportation at the State and local level in Maryland. At a minimum, the Public Safety Apprenticeship Workgroup should include MDL; the Department of Public Safety and Correctional Services; the Department of State Police; and any relevant local law enforcement organizations, detention centers, and community supervision offices. At a minimum, the Healthcare Apprenticeship Workgroup should include MDL; representatives from State public



health, local health departments, State facilities, and other Maryland Department of Health staff as relevant; representatives of the associations of health care providers; and representatives of the labor unions representing health care workers. At a minimum, the Transportation Apprenticeship Workgroup should include MDL, the Maryland Department of Transportation, representatives of the associations of relevant and contracted employers, and representatives of the relevant labor unions.

Each workgroup shall provide the committees with an interim report to be submitted by December 1, 2022, and a final report submitted no later than June 30, 2023. Each report shall provide data and information addressing the individual workgroup's efforts to:

- identify the extent of vacancies at the State and local level within each sector, specifically including, but not limited to, police officers, correctional officers, parole and probation agents, direct care and public health workers, bus operators, and vehicle maintenance personnel;
- review existing apprenticeships in the United States and elsewhere specifically for occupations in these identified sectors;
- design apprenticeships in the occupations within the identified sectors that have the greatest recruitment challenges and training deficiencies, including estimated costs and potential funding opportunities;
- identify opportunities to start apprenticeships at the high school level consistent with the Blueprint for Maryland's Future;
- identify opportunities, in coordination with the University System of Maryland (USM), the Maryland Association of Community Colleges (MACC), University of Maryland Global Campus (UMGC), the Maryland Career and Technical Education (CTE) Committee, and the Maryland State Department of Education (MSDE), to create degree apprenticeship programs and other ways to incorporate associate and bachelor's degrees in apprenticeships;
- identify potential apprenticeship sponsors in each occupation.

Furthermore, the committees recognize that degree apprenticeship programs improve college affordability and serve as pathways to reduce skilled workforce shortages. Combining on-the-job training with related academic instruction is particularly helpful in health care and education, where licensing rules are generally tied to degrees, but can also be used in other occupations that have degree cultures but not requirements. Apprenticeship programs provide an opportunity to serve the State's workforce and economic goals as well as expand pathways toward attainment of the State's 55% educational completion goal. There are minor degree apprenticeships in Maryland but not at scale and not in the largest markets – health care and education. Therefore, the committees additionally request that USM convene MACC, UMGC, MSDE, MDL, and the Maryland CTE Committee and jointly submit a report with MDL on the feasibility of creating degree apprenticeship programs for students starting in high school and any changes in law, college policies, and resource allocations that will be required to develop two pilot programs in fiscal 2024. The report should be submitted by December 1, 2022.



R30B23.00 Bowie State University (BSU) Nursing Program Update: *BSU has faced difficulties in meeting the Maryland Board of Nursing (MBON) required National Council Licensure Examination for Registered Nurses (NCLEX-RN) pass rate for its Nursing Program. MBON placed the BSU Nursing Program on conditional approval in 2013. BSU's program has remained in this status through 2022. BSU has implemented strategies intended to improve this pass rate. The committees request that BSU submit a report that documents the actions identified by BSU to improve the NCLEX-RN required MBON pass rate, how these strategies are intended to increase the pass rate, and the pass rate for fiscal 2022.*

R30B26.00 Frostburg State University: *In order to address the growing shortage of health care professionals in Western Maryland, Frostburg State University (FSU) started offering a PA program at the University System of Maryland at Hagerstown in 2019, after receiving provisional accreditation. The applications for the program have increased every year; however, cohorts are limited to 25 students. The committees are interested in FSU increasing the number of students in its PA program and request that FSU submit a report identifying obstacles to increasing enrollment and recommendations to grow the size of the cohort groups. The report should be submitted by September 15, 2022.*

Budget Amendments

R62I00.54 Maryland Loan Assistance Repayment Program for Nurses and Nursing Assistants Add the following language to the general fund appropriation:

, provided that \$2,000,000 of this appropriation made for the purpose of loan assistance repayment for nurses and nursing assistants in the Maryland Higher Education Commission shall be transferred, contingent upon the enactment of SB 696 or HB 975 establishing the program within the Maryland Department of Health Office of Population Health Improvement for the Maryland Loan Assistance Repayment Program for Nurses and Nursing Workers.

Explanation: This language authorizes the transfer of \$2 million of the FY 2023 general fund appropriation for the Maryland Loan Assistance Repayment Program for Nurses and Nursing Assistants to the Maryland Department of Health Office of Population Health Improvement, contingent upon the enactment of SB 696 or HB 975, establishing the Maryland Loan Assistance Repayment Program for Nurses and Nursing Workers within MDH.

Add the following section: Section 23 Across-the-Board Reductions and Higher Education



SECTION 23. AND BE IT FURTHER ENACTED, *That all across-the-board reductions applied to the Executive Branch, unless otherwise stated, shall apply to current unrestricted and general funds in the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College.*

Explanation: This section explicitly applies reductions intended for the full executive branch to the University System of Maryland, St. Mary's College of Maryland, Morgan State University, and Baltimore City Community College unless their exclusion is specifically stated.

Add the following section: Annual Report on Authorized Positions

SECTION 32. AND BE IT FURTHER ENACTED, *That immediately following the close of fiscal 2022, the Secretary of Budget and Management shall determine the total number of full-time equivalent (FTE) positions that are authorized as of the last day of fiscal 2022 and on the first day of fiscal 2023. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2022 and 2023, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.*

Committee Narrative

RB36 University System of Maryland Office University System

Report on Meeting 2% Target: *Reducing the deferred maintenance backlog is a priority of the University System of Maryland (USM) Board of Regents and the Chancellor. USM's policy sets a target that institutional spending on facilities renewal should equal 2% of the replacement value of State-supported facilities. While some institutions have met the goal, other institutions have made progress but still fall short of the target. Therefore, the committees request that for those institutions that have not met the goal in fiscal 2021 and 2022 that the University System of Maryland Office (USMO) submit a report on each institution's plan to meet the target by fiscal 2025 and provide an annual status report on each institution's progress toward meeting the target. The report should be submitted by December 31, 2022.*

Institutional Aid, Pell Grants, and Loan Data by Expected Family Contribution (EFC)

Category: *In order to more fully understand all types of aid available to students, the committees request that data be submitted for each community college, public four-year institution, and independent institution on institutional aid, Pell grants, and student loans. Data should include, by EFC, the number of loans and average loan size of federal subsidized and unsubsidized loans and loans from private sources as reported to the Maryland Higher Education Commission (MHEC). Additionally, data should be provided on Pell grants, including the number and average award size by EFC. Finally, data should include the number of institutional aid awards and average award size by EFC for institutional grants, institutional*



athletic scholarships, and other institutional scholarships. The data in the response should differentiate between need-based aid and merit scholarships. Data should also include the number of institutional aid awards and average award size by EFC for tuition waivers/remissions of fees to employees and dependents and students. Waiver information for students should be reported by each type of waiver in State law. This report should cover fiscal 2021 data received by MHEC from State institutions and is to be submitted in an electronic format (Excel file).

Report on Best Practices and Annual Progress Toward the 55% Completion Goal: *The committees understand that in order to meet the State's goal to have at least 55% of Maryland's residents age 25 to 64 holding at least one degree credential by 2025, accurate and timely information on degree progression and best practices is needed to ensure that the State is on track to meet the goal. The committees request that the Maryland Higher Education Commission (MHEC) annually collect and analyze student- and transcript-level data on progression, graduation, and other relevant metrics from each public institution of higher education, including community colleges and regional higher education centers. MHEC should submit a report by December 15 each year that analyzes the data and shows each institution's progress toward the State and institutional goals in 2025. The report should also include a summary of best practices and findings on the effectiveness of institutions' programs as well as any concerns regarding lack of progress or best practices that are not being implemented by institutions.*

Report on Increasing Participation in Postsecondary Education: *Overall, approximately half of Maryland high school graduates do not immediately enroll in college. Some graduates may pursue a postsecondary education in later years, enlist in the military, participate in an apprenticeship program, or enter the workforce. While the number of high school graduates increased during the pandemic, the number who immediately enrolled in college decreased. In 2020 alone, there were nearly 4,600 fewer Maryland high school graduates that did not immediately enroll in college. The committees are concerned about the decreasing number of high school graduates immediately enrolling in college. The committees request that the Maryland State Department of Education (MSDE) and the Maryland Higher Education Commission (MHEC) establish a workgroup comprised of various stakeholders to identify programs and initiatives to encourage more students to pursue a postsecondary education immediately after high school and request that MHEC submits a report by December 1, 2022, containing the findings and recommendations from the workgroup.*

Impact of Credit Completion Requirement on Financial Aid Awards: *Beginning in the 2018-2019 academic year and in a student's third academic year, students receiving the Educational Excellence Award (EEA) must successfully complete 30 credit hours in the prior academic year in order to receive the full award amount. Students who completed at least 24 credit hours but less than 30 credit hours will have their awards prorated, and those who do not complete at least 24 credit hours will lose their award. The committees are interested in the*



impact that the 30 credit hour requirement had on students in the 2021-2022 academic year and the 2022-2023 awarding year, specifically if students are meeting the requirement in order to receive the full amount of award, how many students had their awards prorated, and how many students lost eligibility. The report should also include the graduation rates of students who completed 30 credit hours compared to those who completed less than 30 credit hours. The report should provide summary data by segment (community colleges, four-year public, and independent institutions) and by institution. The report should also identify how the Maryland Higher Education Commission (MHEC) alerts community college EEA recipients that they are in danger of losing their award as this group was the most severely impacted by the credit completion requirement. The report should identify the updated funding disbursement, by EEA award type and by total credit attainment grouping, for the students from the most recent review cycle as well as what the total funding amount was, by EEA award type, prior to those students having their award funding amounts revised.

Next Generation Scholars (NGS) Postsecondary Outcomes: *The 2020-2021 academic year was the first academic year with a cohort of grade 12 students in the NGS program. The committees remain interested in determining how many NGS students met the eligibility requirements and later enrolled in a postsecondary institution. The report should identify the number of NGS seniors for the 2021-2022 academic year, the number of NGS seniors who successfully met all of the eligibility requirements, the number of eligible NGS seniors receiving a guaranteed access award, and the number of seniors who later enrolled in a postsecondary institution of higher education in either the summer 2022 session or the fall 2022 semester and identify to which higher education segment those students enrolled.*

Instructional Faculty Workload Report: *The committees request that the University System of Maryland (USM), Morgan State University (MSU), and St. Mary's College of Maryland (SMCM) continue to provide annual instructional workload reports for tenured/tenure-track faculty, and all types of faculty. Additional information may be included at the institution's discretion.*

II. Key Bills of 2022

This section of the 2022 *Legislative Session Impact Report* focuses on bills of particular interest to UMB and its faculty experts. For a look at all of the major bills affecting higher education in general, we recommend the excellent [USM 2022 Legislative Session Report](#) prepared by our colleagues at the Office of Government Relations of the University System of Maryland.

a. Economic Development & Administration

**Labor and Employment – Family and Medical Leave Insurance Program – Establishment (Time to Care Act of 2022) (HB 8/SB 275)**

USM position: Favorable with Amendment

Status: Passed

This bill requires USM institutions to participate in a Family and Medical Leave Insurance program that would provide some wage replacement when an enrolled employee is absent from work for up to 12 weeks for reasons that are similar to, but not exactly the same as, the reasons set forth by the federal Family and Medical Leave Act. USM requested exclusion from the program citing our current system that provides employees a generous array of paid family, parental, and military leave benefits that meet or exceed federal and state laws on family and medical leave and the Maryland Healthy Working Families Act. The bill takes effect June 1, 2022.

Open Meetings Act – Definition – Administrative Function (HB 235)

USM position: Oppose

Status: Withdrawn by Sponsor

This bill would have altered the definition of “administrative function” as it applies to Maryland’s Open Meetings Act. The Board of Regents conducts closed searches in the selection of university presidents. A closed search is one in which the identities of the candidates are not disclosed during the search process or at any other time. A compelling rationale for the closed search method is that presidential searches that guarantee the confidentiality of candidates produce stronger candidate pools than searches that do not facilitate this privacy.

The ability of candidates to maintain confidentiality throughout the search process ensures that they will be comfortable engaging in the process without concern for any impact on their current positions. When a presidential search and screening committee provides the Board of Regents with a list of finalists, the board interviews finalists in a meeting. The process of meeting with finalists and finalizing the selection of a president currently falls within the board’s administrative function. These activities are therefore exempt from the Open Meetings Act, and no public announcement is required. A requirement to publicly announce the meeting location, date, and time would jeopardize the confidentiality of candidates’ participation in the search and diminish to ability to recruit a strong pool of candidates. This bill would have taken effect Oct. 1, 2022.

State Procurement – Payment Practices (HB 325/SB 250)

UMB position: Letter of Information

Final Status: Passed



This bill makes interest on unpaid invoices under state procurement contracts payable after 37 days (instead of 45 days) from when the agency receives an invoice. It requires the Department of Legislative Services to conduct a study and report on the processing and timing of payments to contractors under state procurement contracts. The bill generally takes effect July 1, 2022, but the provision related to the accrual of interest on unpaid invoices takes effect June 1, 2023.

Prevailing Wage – University System of Maryland, Morgan State University, and St. Mary’s College of Maryland – Applicability (HB 388)

USM position: Letter of Information

Status: Held in Committee

This bill would have required that the state’s Prevailing Wage Law apply to a procurement for a public work contract by the University System of Maryland (USM), Morgan State University, and St. Mary's College of Maryland. USM has voluntarily complied with the Prevailing Wage Law on construction contracts over \$500,000 for over the past two decades. This bill would have taken effect July 1, 2022.

Maryland Corps Program – Revisions (HB 443/SB 228)

USM position: Support

Status: Passed

This bill makes significant changes to the Maryland Corps Program, including allowing participants to transition to the workforce (as well as to an institution of higher education). The Maryland Corps offers a new pathway to colleges and universities for students who may not otherwise have the opportunity due to financial barriers or insufficient academic preparation. In addition to the financial support through the \$6,000 educational award, Maryland Corps service will provide opportunities for participants to develop professional, critical thinking, and leadership skills that will prepare them to arrive on campus ready to contribute to the university community and more likely to succeed in their studies. Many Pell-eligible and first-generation students do not have the opportunity to pursue an internship and gain experience because it is unpaid. Simply put, many students can’t afford to do service. Maryland Corps will fill this gap. This bill takes effect June 1, 2022.

State Personnel – Collective Bargaining – Revisions and Budget Bill Appropriations (HB 458/SB 472)

USM position: Oppose

Status: Held in Committee

This bill would have altered the collective bargaining process for state employees by establishing



binding arbitration in the event of an impasse in negotiations. In addition, it would have required the selection of a neutral arbitrator to oversee all aspects of collective bargaining and expand the matters subject to negotiation. This bill would have taken effect July 1, 2022.

Consumer Health Access Program for Mental Health and Addiction Care – Establishment (HB 517/SB 460)

UMB position: Monitor

Final status: Held in committee

This bill establishes a Consumer Health Access Program for Mental Health and Addiction Care to assist state residents in accessing behavioral health services under public and private health insurance and address insurance-related barriers to behavioral health services. The program must be administered by the “incubator entity” (the University of Maryland School of Social Work’s Center for Addiction Research, Education, and Services, or CARES) and a hub entity. The bill also establishes a Consumer Health Access Program for Mental Health and Addiction Care Fund. In FY 2024 through 2026, the governor must include in the annual budget bill a \$1.0 million appropriation to the fund. This bill takes effect Oct. 1, 2022.

“Innovative models of care, such as consumer health access programs, are needed that can help to reduce the many barriers that individuals face when trying to access and maintain treatment. Unfortunately, the majority of individuals in need of mental health and/or SUD [substance use disorder] treatment do not access treatment or do not receive adequate treatment. Many of the reasons individuals do not receive adequate treatment have to do with a lack of understanding of health plans and available providers, lack of in-network providers, requirements for prior authorization to treatment, and continuing care treatment denials. A strong consumer network, including in-person, direct assistance, is critical for helping individuals navigate the treatment system to ensure optimal treatment, access and coverage.

“As the incubator site for the pilot legislation, UMSSW CARES will convene a highly qualified and diverse advisory group that will be charged with implementing a competitive application process in Year 1 to identify the Consumer Health Access Program’s hub entity. This hub entity will serve as a single point of contact for consumer assistance and will coordinate with nongovernmental community-based organizations in Maryland’s eight connector entity regions that enroll individuals in public and private health insurance. The incubator site will also support the hub in selecting the eight community-based organizations [‘spokes’] and will help build an infrastructure for the hub to collect and analyze data on the impact of the Consumer Health Access Program.”

Written and Oral Testimony in Support



By Michelle Tuten, MSW, PhD, associate professor; co-director, Center for Addiction Research, Education and Service; Richard P. Barth, PhD, Professor; and chair, Executive Committee of the Grand Challenges for Social Work, University of Maryland School of Social Work

Access to Counsel in Evictions Special Fund – Alteration (HB 571/SB 279)

UMB position: Monitor

Final status: Passed

This bill alters the funding sources of the Access to Counsel in Evictions Special Fund to include funds received by the Consumer Protection Division in the Office of the Attorney General (OAG) from any final settlement, agreement, or judgment related to an investigation or enforcement of the Maryland Consumer Protection Act for an unfair, abusive, or deceptive trade practice regarding residential rental property. The bill excludes from the fund (1) any restitution and (2) OAG's costs to bring the action. The bill takes effect July 1, 2022.

***“You acknowledged the need for access to counsel in eviction proceedings last year, and that need has only grown since. Maryland’s legal services providers are unable to keep up with the current demand for legal representation. Funding Maryland’s new Access to Counsel in Evictions Special Funds is necessary to fully implement the program throughout Maryland and keep pace with the demand for legal representation. Although there are concerns about the cost of implementation, the program will result in substantial savings to the state.*”**

***“Housing stability and health are directly correlated — a stable home is a basis for a healthy life. Many organizations, including the World Health Organization and the Centers for Disease Control and Prevention, recognize that housing is a ‘social determinant of health,’ meaning where you live plays a role in your health and longevity. Housing instability comes with long-lasting and significant damaging health consequences to individuals and families. Adults who face eviction are more likely to report symptoms of poor health such as high blood pressure, depression, anxiety, and psychological distress. Children in families that encounter eviction are also more likely to experience poor health, a higher prevalence of food insecurity, and worse educational outcomes than other low-income children. Moreover, young adults who have experienced eviction are at higher risk of teen pregnancy, drug use, and depression. Eviction also directly impacts the health and social connectedness of communities — frequent moves cause individuals to feel less invested in their communities, homes, and social relationships.”*”**

Written and Oral Testimony in Support

By Nicole Fullem, Public Health Law Clinic, University of Maryland Francis King Carey School of Law

**Landlord and Tenant – Access to Counsel in Evictions Special Fund – Mandatory Appropriation (HB 712/SB 521)**

UMB position: Monitor

Final Status: Held in Committee

This bill requires, beginning in FY 2023, that if the governor appropriates federal rental assistance through a budget amendment, the maximum amount of any assistance that may be used for legal representation must be appropriated to the Access to Counsel in Evictions (ACE) Special Fund. Furthermore, beginning in FY 2024, the governor must include in the annual budget bill an appropriation to the ACE Special Fund that is equal to the maximum amount of any federal rental assistance money that may be used for legal representation that is (1) available to the state but unappropriated or (2) anticipated to be received by the state before the end of the fiscal year for which the appropriation is proposed. Finally, subject to limits enacted in federal law, any excess federal rental assistance money received by the state in FY 2022 must be appropriated to the ACE Special Fund. The bill takes effect July 1, 2022.

Facilitating University Transformations by Unifying Reductions in Emissions (FUTURE) Act (HB 729/SB 471)

UMB position: Monitor

Final status: Held in committee

This bill would have required each public four-year institution to be carbon neutral for “Scope 1 direct emissions” and “Scope 2 indirect emissions” by Jan. 1, 2025, and for “Scope 3 indirect emissions” by Jan. 1, 2035. Carbon neutrality can be met through reduced carbon emissions or carbon offset projects, subject to specified requirements and restrictions. For carbon offsets used to meet the bill’s requirements, a public four-year institution must invest in the Environmental Justice Scholarship Program (to be administered by the Maryland Higher Education Commission) an amount equal to the “social cost of carbon” minus the cost of the carbon offset. This bill would have taken effect July 1, 2022.

Economic Development – Maryland E–Nnovation Initiative Program – Qualifying Donations (HB 730/SB 473)

USM position: Support

Status: Passed

This bill lowers the minimum threshold to \$200,000 for a qualified donation or pledge made to a research endowment of a nonprofit institution of higher education that has an annual unrestricted current funds budget of less than \$250.0 million for purposes of the Maryland E–Nnovation



Initiative Program. In addition, the donation may be bundled with other qualified donations to meet the \$200,000 threshold. This bill takes effect July 1, 2022.

Higher Education – Student Financial Assistance – Alterations and Appropriation (HB 734/SB 912)

USM position: Monitor

Status: Passed

This bill changes eligibility for the Guaranteed Access Grant under the Delegate Howard P. Rawlings Educational Excellence Awards (EEA) Program and extends eligibility for services through a related program. The GA grants go to students whose family income is below a designated poverty index and who meet the academic requirements of the grant. However, should the family income change during a student’s postsecondary tenure, the student can be denied the scholarship in following years, forcing students to borrow funds, delay enrollment, or permanently forgo their academic pursuit. This legislation permits the Maryland Higher Education Commission to use a sliding scale to recalculate the grant and continue to award qualifying students.

This legislation also expands the EEA awards from \$3,000 to \$7,000, which will assist community colleges students with remaining unmet need. Community college students utilize the EEA awards and, as the state’s largest need-based financial aid program, this will increase the amount to be more aligned with the needs of students. This bill takes effect July 1, 2022.

State Personnel – Collective Bargaining (HB 751/SB 118)

USM position: Oppose

Status: Held in committee

This bill would have authorized graduate assistants at USM institutions to collectively bargain. USM has worked over the last decade to improve the status of the USM’s approximately 6,000 graduate assistants (based on a recent survey of all institutions), including the establishment of a “Meet and Confer” process that gives these students (and adjunct faculty) the opportunity to engage a labor representative to represent them in discussions with university administrators. Focused on the fact that these individuals are first and foremost students earning advanced degrees, USM has a Policy on Graduate Assistantships. This bill would have taken effect July 1, 2022.

Maryland Pediatric Cancer Fund – Establishment and Income Tax Checkoff (HB 775)

UMB position: Monitor

Final status: Passed



This bill establishes the Maryland Pediatric Cancer Fund checkoff on the individual income tax return form. After the comptroller deducts administrative expenses, the contributions are credited to the fund and distributed by the Maryland Department of Health. The bill takes effect July 1, 2022, and applies to tax year 2022 and beyond.

Public Institutions of Higher Education – Student Withdrawal Policy – Reimbursement of Tuition and Fees (HB 872)

USM position: Oppose

Status: Held in committee

This bill would have required each public institution of higher education to adopt a policy authorizing students to withdraw for extenuating circumstances such as illness, injury, hospitalization, and mental health and wellness. USM institutions work closely with students experiencing challenges with physical and mental health to help them complete their studies or return to campus after a hiatus. Presently, each USM institution has specific policies and processes to support these students. This bill would have taken effect July 1, 2022.

State Prescription Drug Benefits – Retirees (HB 892/SB 578)

USM position: Monitor

Final status: Held in Committee

This bill would have restored the eligibility for state prescription drug coverage under the State Employee and Retiree Health and Welfare Benefits Program for Medicare-eligible state retirees who began state service before July 1, 2011. It also would have repealed three supplemental prescription drug reimbursement plans for specified state retirees and made conforming changes. The bill would have taken effect July 1, 2022.

Health Equity Resource Communities – Modifications (HB 906/SB 607)

UMB position: Monitor

Final status: Passed

This bill alters provisions relating to Health Equity Resource Communities (HERCs). The Chesapeake Regional Information System for our Patients (CRISP) must provide technical assistance to the Maryland Community Health Resources Commission (MCHRC) in implementing HERCs. The date by which MCHRC must issue a request for proposals to designate HERCs is delayed from Oct. 1, 2022, to Oct. 1, 2023. The bill also expands the purpose of the HERC Reserve Fund to include (1) funding three full-time MCHRC staff positions and (2) beginning in FY 2024, costs incurred by CRISP in



providing technical assistance to MCHRC. The bill takes effect July 1, 2022.

University of Maryland, Baltimore Campus – Employees – Authorization to Fund-Raise (HB 907/SB 589)

UMB position: Support

Final status: Passed

This bill authorizes, notwithstanding the restrictions on gift solicitation and use of prestige of office under the Maryland Public Ethics Law, an employee of UMB to solicit gifts or proposals for grants for the benefit of the University of Maryland Medical System Corporation (UMMSC) in accordance with UMB’s policies regarding coordinating fundraising between the University and UMMSC. This bill takes effect Oct. 1, 2022.

“The University of Maryland School of Medicine [UMSOM] and University of Maryland Medical Center [UMMC] are committed to transforming health care and elevating our status as one of the nation’s top academic medical centers. It has been a priority of mine to seek best practices to enhance this effort in the area of philanthropy for our joint mission. In order to achieve greater levels of fundraising success and secure larger gifts with greater impact on research, patient care, and education, UMSOM and UMMC must work together and shift the fundraising structure. This structure would focus on disease-based thematic efforts that integrate research and patient care priorities without regard to organizational structures.”

“This change would align with current best practices for grateful patient fundraising and position major gift officers to work more closely with interdisciplinary academic efforts. Through this integrated approach, development officers are able to present donors and prospects with an array of opportunities which include basic, translational, and clinical research, patient care facilities and projects, community outreach, and education.”

Written Testimony in Support

By E. Albert Reece, MD, PhD, MBA, dean, University of Maryland School of Medicine

Public Institutions of Higher Education – Students with Chronic Health Conditions – Case Manager (HB 1098/SB 832)

USM position: Oppose

Status: Held in committee

This bill would have required public institutions of higher education to hire case managers to coordinate services for students with chronic health conditions, provide information to students regarding the access to supports and services, and collect and report a significant amount of



information on these students. Students with chronic health conditions who identify themselves to appropriate university officials deserve support. Information about the availability of services is readily available to students under the federal Americans with Disabilities Act. Adding a unit of required professional personnel would be a financial challenge to some of our universities. This bill would have taken effect July 1, 2022.

State Personnel – Whistleblower Law – Procedures and Remedies (HB 1099)

USM position: Letter of information

Status: Held in committee

This bill would have altered the prohibition on reprisal against certain employees for disclosures and actions under the Maryland Whistleblower Law. USM protects an individual who discloses information reasonably believed to be evidence of an abuse of authority, gross mismanagement, a gross waste of money, or a substantial and specific danger to public health and safety. USM has established a Fraud Hotline, administered by the USM Office of Internal Audit, as a nonretaliatory mechanism for employees, students, and others in the community to report such matters confidentially. USM's Board of Regents has promulgated at least seven policies that provide protections to individuals sometimes referred to as whistleblowers under various federal and state laws, including the State's Whistleblower Act, Title IX, Title VII, the Americans with Disabilities Act, and others.

The bill would have expanded protected activity far beyond fraud, waste, abuse, and major threats to public health and safety to include anything that an employee reasonably believes is in the public interest. That is essentially anything an employee believes it to be, which is a contradiction to longstanding First Amendment case law in the public employment context. This bill would have taken effect Oct. 1, 2022.

State Government – Information Technology and Cybersecurity-Related Infrastructure (HB 1205/SB 811) and State Government – Cybersecurity – Coordination and Governance (HB 1346/SB 812)

USM position: Support with amendment

Final status: Passed

During this legislative session, several bills concerning cybersecurity oversight, management, and procurement made their way through House and Senate committees. While USM is a partner in strengthening Maryland's cybersecurity posture, several concerns arose regarding the effort to codify recommendations of the Maryland Cybersecurity Coordinating Council within the Department of Information Technology. Centralizing authority and control of the procurement of all information technology might work for the executive branch of state government, but USM sought amendments seeking broad exemption from, but no less accountable to, the governor and



the General Assembly. USM was successful in working with committee staff to ensure that USM was exempt from the provisions in the legislation. The bills take effect July 1, 2022.

Universities at Shady Grove Regional Higher Education Center – Workforce Development Programs – Funding (HB 1446)

USM position: Monitor

Status: Passed

This bill requires the governor to include a \$5 million appropriation in FY 2024 and FY 2025 for the Universities at Shady Grove (USG) Regional Higher Education Center (RHEC) to establish or support workforce development programs at the center if the USG RHEC does not receive funding in the FY 2023 operating budget. The bill takes effect July 1, 2022.

Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants – Alterations (HB 1464/SB 626)

UMB position: Support

Final status: Passed

This bill specifies that a part-time physician or part-time physician assistant is eligible for the Maryland Loan Assistance Repayment Program (MLARP) for Physicians and Physician Assistants and authorizes the Maryland Department of Health (MDH) to establish prorated loan repayment for the part-time practitioners. The bill establishes the MLARP Advisory Council. MDH must provide staff for the council. Members of the council may not receive compensation but are entitled to reimbursement for expenses. By Oct. 1 each year, the council must report on its activities and recommendations. The bill takes effect July 1, 2022.

“Incentive programs play an integral role in attracting students to these health care professions and incentivizing them to practice in communities where we need them most. Approximately two-thirds of the physicians we train at the School of Medicine are leaving the state. According to the 2021 AAMC Physician Workforce Profile survey, Maryland ranks 40th in the nation in terms of the percentage of physicians retained in-state after public undergraduate medical education (21.6 percent compared to a national state median of 39.7 percent).”

In 2020, the average debt for an indebted University of Maryland medical student was \$174,912. The Loan Assistance Repayment Program is a proven effective tool that we can take advantage of to help our up-and-coming new generation of medical professionals. With enhanced state funding contributions to the program as well as programmatic changes such as making part-time physicians and physician assistants eligible for participation as outlined in SB 626, we can continue to work toward meeting the growing demand of applicants for this



program.”

Written Testimony in Support

By Donna L. Parker, MD, senior associate dean for undergraduate medical education and professor, Department of Medicine, University of Maryland School of Medicine

Maryland Pediatric Cancer Fund – Establishment (SB 51)

UMB position: Support

Final status: Passed

This bill establishes the Maryland Pediatric Cancer Fund within the Maryland Department of Health. Funds may only be used to provide grants to eligible physicians, hospitals, laboratories, educational institutions, and other organizations and persons to conduct pediatric cancer research, prevention, and treatment. The bill takes effect July 1, 2022.

Public Institutions of Higher Education – Transcript Requests by Students with Unpaid Student Account Balances (SB 152)

USM position: Support with amendment

Final status: Held in committee

This bill would have prohibited an institution of higher education from refusing to provide a current or former student with a transcript because the student owes a debt to the institution of higher education. USM supported the bill’s intent to provide transcripts to students who owe debt to allow access to transcripts for purposes of transfer to another institution, application to graduate school, or application for employment. Current statutory language related to student debt and class registration provides a \$250 threshold to allow registration for students with smaller debt. Debt amounts over \$250 either need to be settled prior to the end of the semester or the student must enter into a payment plan in order to register. USM worked with the sponsor and committee to include an amendment that would adopt provisions in existing law in Section 15-120 of the Education Article to make these references consistent. This bill would have taken effect June 1, 2022.

Climate Solutions Now Act of 2022 (SB 528)

UMB position: Monitor

Final status: Passed

This bill makes broad changes to the state’s approach to reducing statewide greenhouse gas (GHG) emissions and addressing climate change. Among other things, the bill (1) increases the statewide GHG emissions reduction requirement and requires the state to achieve net-zero statewide GHG emissions by 2045; (2) establishes new and alters existing energy conservation requirements for buildings; (3) increases and extends specified energy efficiency and



conservation program requirements; (4) establishes requirements for the purchase of zero-emission vehicles in the state fleet; and (5) establishes new entities and new special funds to support related activities. The bill takes effect June 1, 2022; specified provisions terminate June 30, 2024, Dec. 31, 2029, and June 30, 2030.

Maryland Loan Assistance Repayment for Nurses and Nursing Workers – Program Establishment and Funding (SB 696)

UMB position: Support

Final status: Passed

This bill establishes the Maryland Loan Assistance Repayment Program for Nurses and Nursing Support Staff and an associated special fund for the program. The Maryland Department of Health must convene a stakeholder workgroup to examine how to further incentivize nursing and nursing support staff students to practice in specified areas. The workgroup must submit an interim report by Dec. 1, 2022, and a final report by Dec. 1, 2023, including recommendations on a permanent funding structure for the new special fund. The bill takes effect July 1, 2022.

b. Academic and Research Policy

Cannabis Reform (HB 837)

UMB position: Monitor

Final status: Passed

This bill (1) renames marijuana as “cannabis”; (2) requires specified agencies and entities to complete studies, collect/report data, and develop specified standards regarding the use of cannabis, the medical cannabis industry, and the adult-use cannabis industry; (3) establishes an income tax subtraction modification for specified cannabis businesses; (4) alters civil/criminal penalties related to cannabis; (5) authorizes specified resentencing and release of individuals convicted of use or possession of cannabis; (6) alters expungement provisions; and (7) establishes three new special funds and an advisory council. The provisions related to studies, data collection, and reports take effect June 1, 2022. The income tax subtraction modification applies to tax year 2022 and beyond. The other provisions are subject to the ratification of the constitutional amendment in House Bill 1 of 2022 and take effect Jan. 1, 2023, or July 1, 2023.

“As you know, allowing access to cannabis, whether for medical or adult-use purposes, raises innumerable legal issues. Whatever decision this body makes with respect to legalization, myriad legal questions will arise, from the preemptive effect of federal law to the scope of local power within a state-level regulatory scheme. This body has grappled with these issues first with authorizing medical use and now as you consider legalization. Your workgroups and the



experts you have pulled in for conversations have been vital to examining the public health, legal, social equity, law enforcement, government operations, and other issues that should be addressed with legalization. That need for support will only increase with legalization.

“Unanswered questions on law and policy can threaten effective and efficient implementation of a legalization scheme. State and local legislative bodies, executive agencies, public health officials, law enforcement officials, courts, and other impacted parties need access to experienced, knowledgeable lawyers who understand cannabis legal issues as well as Maryland state and local government powers. I am confident that the University of Maryland Carey School of Law is the best source for this technical legal assistance.”

Written and Oral Testimony in Support

By Kathleen Hoke, JD, professor, University of Maryland Francis King Carey School of Law

Cannabis Reform (SB 833)

UMB position: Monitor

Final status: Held in Committee

This proposed constitutional amendment, if approved by the voters in the next general election, authorizes an individual at least age 21 to use and possess cannabis in the state beginning July 1, 2023, subject to the requirement that the General Assembly provide by law for the use, distribution, possession, regulation, and taxation of cannabis. Subject to ratification of the proposed constitutional amendment, the bill (1) renames marijuana “cannabis”; (2) establishes a regulatory and taxation framework for cannabis establishments within the Alcohol and Tobacco Commission; (3) establishes provisions related to social equity in the legal cannabis industry; and (4) establishes a process for dismissal of or postconviction relief for marijuana-related offenses and expungement of the dispositions of marijuana-related charges. Not subject to the ratification of the proposed constitutional amendment, the commission, in consultation with specified entities, must complete two disparity studies by April 1, 2023, and by Jan. 1, 2025, respectively.

c. Regulation of the Professions

Maryland Medical Assistance Program – Dental Coverage for Adults (HB 6/SB 150)

UMB position: Support

Final status: Passed

This bill requires Medicaid, beginning Jan. 1, 2023, subject to the limitations of the state budget, to provide dental services, including diagnostic, preventive, restorative, and periodontal services,



for adults with household incomes up to 133 percent of the federal poverty level. The bill also makes related changes, including repealing a pilot program for limited dental coverage for adults under the Medicaid program established under Chapter 621 of 2018. The bill takes effect Jan. 1, 2023.

“Conclusive evidence demonstrates that good oral health is integral to overall health, positive health care outcomes, and quality of life. Persistent disparities in oral health pose a major public health challenge, with low-income and racial and ethnic minority populations continuing to experience a greater burden of dental disease. The combination of Medicaid expansion and coverage of Medicaid dental benefits has been shown to increase access to dental care among low-income adults and improve clinical parameters of oral health.”

Written Testimony in Support

By Mark A. Reynolds, DDS, PhD, MA, dean, University of Maryland School of Dentistry

Pharmacists – Nicotine Replacement Therapy Medication (HB 28/SB 62)

UMB position: Monitor

Final status: Passed

This bill expands the scope of practice for a licensed pharmacist, who meets specified requirements, to include prescribing and dispensing “nicotine replacement therapy medication” that delivers small doses of nicotine to an individual and is approved by the U.S. Food and Drug Administration for the sole purpose of aiding in tobacco cessation or smoking cessation (regardless of whether it is available over the counter). By Sept. 1, 2023, the State Board of Pharmacy must adopt specified regulations. This bill takes effect Oct. 1, 2022.

“Recognizing the role of the pharmacists in smoking cessation efforts, the Centers for Disease Control and Prevention [CDC] created a toolbox with resources specifically designed for pharmacists to use with patients seeking information on smoking cessation. To spur adoption of CDC policy, CMS’ Center for Medicaid and CHIP Services issued an informational bulletin to encourage states to expand the scope of pharmacy practice as a way of fostering immediate access to certain drugs. Although CMS noted these practices are optional for states, they stressed [pharmacy scope of practice expansion] can ‘facilitate easier access to medically necessary and time-sensitive drugs for Medicaid beneficiaries.’ In the bulletin, CMS specifically cited tobacco cessation products.

“Smoking cessation medications, including nicotine replacement therapies [NRTs] and non-nicotine replacement therapies [NNRTs], have been shown to increase tobacco abstinence rates. These medications are currently indicated for smoking cessation, and pharmacists are well-educated to select the appropriate medication therapies and subsequently monitoring for therapeutic efficacy and adverse events.”

Written Testimony in Support



By Natalie D. Eddington, PhD, FAAPS, FCP, dean and professor, University of Maryland School of Pharmacy

“Pharmacist authority to prescribe and dispense medications approved by the FDA as an aid for the cessation of the use of tobacco products is a well-studied practice that is gaining momentum across the country. Pharmacists are properly trained to prescribe these medications and have been safely doing so for almost 20 years. Pharmacists are accessible, knowledgeable, and trusted community health care providers who have all the tools necessary to assist smokers in quitting.”

Written Testimony in Support

By Blair Innis, JD, Public Health Law Clinic, University of Maryland Francis King Carey School of Law

Health Occupations – Health Care Staffing Shortage Emergency – Declaration and Licensing and Practice Requirements (Health Care Heroes Act of 2022) (HB 407/SB 407)

UMB position: Support

Final status: Held in committee

This emergency administration bill authorizes the Secretary of Health to declare a health care staffing shortage emergency. The secretary must establish criteria for determining the conditions that require such a declaration, which may not exceed 180 days. Each health occupations board must establish processes for the issuance of an initial health occupation license, a “temporary health occupation license,” and a “temporary practice letter” on an expedited basis during a declared health care staffing shortage emergency. The secretary may direct the boards to implement these expedited licensing processes during a declared health care staffing shortage emergency. The bill authorizes certain health care practitioners to practice at a health care facility without a license or temporary practice letter under specified circumstances. The secretary must adopt regulations to carry out the bill. The bill takes effect upon enactment.

Commission to Study the Health Care Workforce Crisis in Maryland – Establishment (HB 625/SB 440)

UMB position: Monitor

Final status: Passed

This bill establishes the Commission to Study the Health Care Workforce Crisis in Maryland. The Secretary of Health must designate the chair of the commission. The state agencies represented on the commission must jointly provide staff for the commission. Commission members may not receive compensation but are entitled to reimbursement for expenses under standard state travel regulations. By Dec. 31, 2022, and Dec. 31, 2023, the commission must



submit a report of its findings and recommendations to specified committees of the General Assembly. The bill takes effect July 1, 2022, and terminates June 30, 2024.

Health Occupations – Health Care Workforce Expansion (HB 1208)

UMB position: Monitor

Final status: Passed

This bill establishes a licensed practical nurse and registered nurse preceptorship income tax credit and creates two stakeholder workgroups — one to study expanding the state apprenticeship programs to the health care workforce and the other to examine how to further incentivize nurses and other health practitioners regulated by the state Board of Nursing (BON) to practice in specified areas. Furthermore, the bill creates additional responsibilities for BON relating to the expansion of the workforce in nursing-related fields, such as requiring an evaluation, establishing standards for online nursing assistant training programs, and allowing on-the-job experience as a nursing assistant to count toward a certification. The bill generally takes effect June 1, 2022; however, the tax credit provisions take effect July 1, 2022, apply to tax years 2022 through 2024, and terminate June 30, 2025.

Health Occupations – Mental Health Services – Cultural Competency and Diversity (HB 1318)

UMB position: Support

Final status: Held in committee

This bill would have required the State Board of Professional Counselors and Therapists, the State Board of Examiners of Psychologists, and the State Board of Social Work Examiners to have at least three members who are from underrepresented communities, as well as completing a certain number of continuing education unit hours in cultural competency, and establishing the Culturally Informed and Culturally Responsive Mental Health Task Force. This bill would have taken effect Oct. 1, 2022.

“It is essential to have professional boards who are fully representative of the population served when making policy and practice decisions that have significant impact on underserved populations. We support the establishment of a task force or workgroup to identify strategies to improve the cultural competence of behavioral health professionals as well as make recommendations to address the challenges facing the licensing boards.”

Written Testimony in Support

By Judy L. Postmus, PhD, ACSW, dean, University of Maryland School of Social Work



Testimony and briefings during the 2022 session of the Maryland General Assembly of interest to the University of Maryland, Baltimore community.

Date	Committee/ Meetings	Subject	Individual
1/20	Ways and Means	HB 84 Education – Crimes on School Grounds – Application	❖ Michael Pinard, JD, University of Maryland Carey School of Law (UMSOL)-Support
1/20	Ways and Means	HB 56 Commission on Student Behavioral Health and Mental Health Treatment	❖ Michael Pinard, UMSOL-Support
1/20	Health and Government Operations	HB 28 Pharmacists - Nicotine Replacement Therapy Medication	❖ Natalie D. Eddington, PhD, FAAPS, FCP, University of Maryland School of Pharmacy (UMSOP)-Support ❖ Blair Innis, UMSOL-Support
1/21	Appropriations	Briefing by the Joint Committee on Cybersecurity, Information Technology, and Biotechnology	❖ Ben Yelin, JD, Center for Health and Homeland Security, UMSOL
1/25	Judiciary	HB 267 Criminal Law - Threat Against Public Health Official or Hospital Staff Member	❖ Brooke Torton, JD, UMSOL-Support
1/25	Finance	SB 150 Maryland Medical Assistance Program – Dental Coverage for Adults	❖ Mark Reynolds, DDS, PhD, MA, University of Maryland School of Dentistry (UMSOD)-Support



Date	Committee/ Meetings	Subject	Individual
1/27	Judicial Proceedings	SB 165 Juvenile Court – Jurisdiction	❖ Brianna Drayton, Student, UMSOL-Support
1/27	Judicial Proceedings	SB 53 Juvenile Law - Juvenile Interrogation Protection Act	❖ Samuel Kebede, Student, UMSOL-Support ❖ Tamia Morris, Student, UMSOL-Support
2/1	Education, Health and Environmental Affairs	SB 62 Pharmacists - Nicotine Replacement Therapy Medication	❖ Natalie Eddington, UMSOP-Support ❖ Kathleen Hoke, JD, UMSOL-Support
2/2	Judicial Proceedings	SB 265 Probation Before Judgment – Probation Agreements – Probation Not Deportation	❖ Leigh Goodmark, JD, UMSOL-Support
2/3	Health and Government Operations	HB 173 State Board of Social Work Examiners - Temporary License to Practice Social Work	❖ Judy L. Postmus, PhD, ACSW, University of Maryland School of Social Work (UMSSW)-Support
2/3	Finance	SB 249 Baltimore City - Cigarettes, Other Tobacco Products, and Electronic Smoking Devices - Local Laws Authorization	❖ Brooke Torton, UMSOL-Support
2/9	Judicial Proceedings	SB 279 Access to Counsel in Evictions Special Fund - Alteration	❖ Nicole Fullem, Student, UMSOL-Support
2/9	Judicial Proceedings	SB 280 Temporary Protective Orders - Electronic Filing and	❖ Lydia Watts, JD, UMSOL-Support



Date	Committee/ Meetings	Subject	Individual
		Video Conferencing Hearings	
2/9	Education, Health and Environmental Affairs	SB 363 Public High Schools - Health Education - Gambling Dangers and Addiction	❖ Mary Drexler, MSW, Program Director, Maryland Center of Excellence on Problem Gambling, University of Maryland School of Medicine (UMSOM)-Support ❖ Ting Yang, Student, UMSOL-Support
2/9	Health and Government Operations	HB 6 Maryland Medical Assistance Program – Dental Coverage for Adults	❖ Mark Reynolds, UMSOD-Support
2/10	Judiciary	HB 338 Child Abuse and Neglect - Definition of Neglect	❖ Leigh Goodmark, UMSOL-Support
2/10	Judiciary	HB 459 Juvenile Justice Reform	❖ Madalyn Cohee, Student, UMSOL-Support
2/10	Judiciary	HB 294 Juvenile Court - Jurisdiction	❖ Brianna Drayton, UMSOL-Support
2/14	Judiciary	HB 837 Cannabis Reform	❖ Kathleen Hoke, UMSOL-Support with amendment



Date	Committee/ Meetings	Subject	Individual
2/15	Judiciary	HB 600 Correctional Services – Geriatric and Medical Parole	❖ Leigh Goodmark, UMSOL-Support
2/15	Economic Matters	HB 628 Employment – Workers’ Compensation and Workplace Discrimination – Use of Medical Cannabis	❖ Kathleen Hoke, UMSOL-Support
2/16	Judiciary	HB 691 Landlord and Tenant and Wrongful Detainer Actions - Eviction Prevention Services	❖ Toby Guerin, JD, UMSOL-Support
2/17	Ways and Means	HB 513 Infant and Early Childhood Mental Health Support Services Program - Established	❖ Margo Candelaria, PhD, UMSSW-Support
2/17	Education, Health and Environmental Affairs	SB 626 Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants - Alterations	❖ Donna Parker, MD, UMSOM-Support
2/17	Judiciary	HB 833 Criminal Law - Victims of Child Sex Trafficking and Human Trafficking - Safe Harbor and Service Response	❖ Nadine M. Finigan-Carr, PhD, UMSSW-Support
2/18	Budget and Taxation Health and Human Services Subcommittee	SB 290 Operating Budget – MDH Prevention & Health Promotion Administration	❖ Kevin Cullen, MD, UMSOM-Support



Date	Committee/ Meetings	Subject	Individual
		Cigarette Restitution Fund	
2/21	Economic Matters	HB 506 Constitutional Amendment - Beer and Wine Licenses - Retail Grocery Establishments	❖ Kathleen Hoke, UMSOL-Oppose
2/21	Appropriations Health and Social Services Subcommittee	HB 300 Operating Budget – MDH Prevention & Health Promotion Administration Cigarette Restitution Fund	❖ Kevin Cullen, UMSOM-Support
2/22	Finance	SB 460 Health - Insurance Coverage Information	❖ Michelle Tuten, PhD, UMSSW-Support ❖ Richard P. Barth, PhD, UMSSW-Support
2/22	Finance	SB 607 Health Equity Resource Communities – Modifications	❖ Yolanda Ogbolu, PhD, University of Maryland School of Nursing (UMSON)-Support
2/22	Judiciary	HB 958 Criminal Procedure – Postconviction Review – Motion for Reduction of Sentence	❖ Leigh Goodmark, UMSOL-Support
2/23	Ways and Means	HB 733 Gaming – Video Lottery Operation License – Baltimore– Washington International Thurgood Marshall Airport	❖ Jessica Blackmon, Student, UMSOL-Oppose



Date	Committee/ Meetings	Subject	Individual
3/1	Economic Matters	HB 1164 Labor and Employment - Workers' Compensation - Licensed Certified Social Worker-Clinical	❖Judy Postmus, UMSSW-Support
3/1	Appropriations	HB 907 University of Maryland, Baltimore Campus - Employees - Authorization to Fund-Raise	❖E. Albert Reece, MD, PhD, MBA, UMSOM-Support ❖Mary Pooton, UMSOM-Support
3/2	Education, Health and Environmental Affairs	SB 589 University of Maryland, Baltimore Campus - Employees - Authorization to Fund-Raise	❖E. Albert Reece, UMSOM-Support ❖Mary Pooton, UMSOM-Support
3/2	Health and Government Operations	HB 906 Health Equity Resource Communities - Modifications	❖Yolanda Ogbolu, UMSON-Support
3/2	Judiciary	HB 1177 Courts - Expert Witnesses - Licensed Certified Social Workers-Clinical	❖Judy Postmus, UMSSW-Support
3/3	Health and Government Operations	HB 1318 Health Occupations - Mental Health Services - Cultural Competency and Diversity	❖Judy Postmus, UMSSW-Support ❖Neijma Celestine-Donnor, MSW, UMSSW-Support
3/8	Judicial Proceedings	SB 768 Criminal Law - Victims of Child Sex Trafficking - Safe Harbor and Service Response	❖Nadine Finigan-Carr, UMSSW-Support



Date	Committee/ Meetings	Subject	Individual
3/8	Environment and Transportation	HB 1295 Multifamily Dwellings - Smoking Policies	❖ Brianne Schell, JD, MA, UMSOL-Support with amendments
3/9	Finance	SB 658 Transportation – Maryland Aviation Infrastructure Impacts Commission	❖ Zafar Zafari, PhD, UMSOP-Support
3/9	Economic Matters	HB 477 Cigarettes, Tobacco Products, and Electronic Smoking Devices – Local Law Authorization	❖ Brooke Torton, UMSOL-Support
3/10	Appropriations	HB 1103 Transportation – Maryland Aviation Infrastructure Impacts Commission	❖ Zafar Zafari, UMSOP-Support
3/10	Appropriations	HB 1027 Food Supplement Benefits - Students - Eligibility (SNAP for Students)	❖ Olivia Clark, Student, UMSOL-Support ❖ Kate Sollee, Student, UMSOL-Support
3/10	Judicial Proceedings	SB 772 Child in Need of Assistance - Neglect - Marijuana Use	❖ Robert Stenzel, Student, UMSOL-Support
3/15	Budget and Taxation Capital Budget Subcommittee	SB 291 Capital Budget, University of Maryland, Baltimore	❖ Bruce E. Jarrell, MD, FACS, University of Maryland, Baltimore (UMB)-Support
3/16	Appropriations Capital Budget Subcommittee	HB 301 Capital Budget, University of Maryland, Baltimore	❖ Bruce E. Jarrell, UMB-Support



Date	Committee/ Meetings	Subject	Individual
3/30	Budget and Taxation	HB 406 Children in Out-of-Home Placements – Placement in Medical Facilities	❖ Katrina Escuro, MD, UMSOM- Support



UMB GOVERNMENT AFFAIRS

Kevin P. Kelly, JD

Chief Government Affairs Officer and Vice President

Susan F. Lawrence

Senior Government Affairs Specialist

Melanie T. Moore

Senior Program Specialist

Special Thanks

We wish to acknowledge the following student interns for their work during the 2022 legislative session:

School of Medicine

Sarah Vogel

School of Pharmacy

Lauren Correia