



UNIVERSITY OF MARYLAND, BALTIMORE
LEGISLATIVE SESSION IMPACT REPORT
2023





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

Higher-than-anticipated revenues continued to place the state in a strong fiscal position going into the 2023 session. Cooperation between the legislative and executive branches was a theme that carried throughout the session, as the General Assembly sought to exercise its new constitutional authority to add to the executive budget. Recognizing that the sizable general fund balance was partially dependent on unreliable revenue sources and acknowledging the potential risks of high inflation and a possible recession, spending by both the administration and the legislature during the 2023 session was focused on strategic investments in improving state services, the state workforce, and capital infrastructure, and in mitigating future demands on the general fund.

As introduced, the governor’s budget plan for the current fiscal year assumed \$64.1 billion in total spending, including \$28.2 billion in general funds, which left an estimated closing general fund balance of \$2.3 billion in Fiscal Year (FY) 2023. This spending included a net \$2.3 billion in deficiency appropriations, including \$2.0 billion in federal funds reflecting additional stimulus aid along with funding for SNAP assistance and other entitlement programs. General fund deficiencies added a net \$186.1 million to the working appropriation, with added funding for debt service, general fund support for entitlements, employee salary increases, and costs associated with the implementation of legislation largely offset by nearly \$690 million in general fund savings associated with the continuation of the enhanced Medicaid match through FY 2023.

With the Rainy Day Fund balance maintained at 10 percent of general fund revenues in FY 2024, House Bill 202 (passed), the Budget Reconciliation and Financing Act (BRFA), included a provision to eliminate the required FY 2024 appropriation. The governor’s budget plan redirected \$1.0 billion of the statutory appropriation to the Rainy Day Fund to instead be earmarked to support \$500 million in future education costs funded through the Blueprint for



Maryland's Future Fund and \$500 million for investments in transportation capital projects. The remaining \$61.4 million of the required appropriation was contingently reduced and accounted for in the administration's projected closing fund balance. Funding for K-12 education increased by over \$700 million in the allowance, attributable to an unexpected surge in the number of students qualifying for free and reduced-price meals (FRPM).

The administration's legislative package proposed to have a net impact of \$204 million in reduced general fund revenue and \$243.6 million in increased general fund spending, with the most significant expense associated with accelerating planned rate increases for health care providers to align with an accelerated implementation of a \$15 minimum wage. Modest targeted tax relief consisted of two pieces of legislation proposing to exempt additional military retirement income from the income tax, establish a more robust child tax credit, and remove the sunset on temporary enhancements to the earned income tax credit enacted during the 2021 session and scheduled to terminate after FY 2023. The combined \$204 million in lost revenues in FY 2024 was estimated to reach \$230 million by FY 2028. The budget, as introduced, met all of the SAC spending goals by providing an \$820 million closing general fund balance and the equivalent of 10 percent of general fund revenues in the Rainy Day Fund. The governor's allowance also maintained a structural balance by leaving an estimated surplus of \$337 million.

Current unrestricted and current restricted funding for state public four-year institutions and Baltimore City Community College in the FY 2024 budget totals \$7.4 billion. This reflects a net increase of \$194.2 million compared to the FY 2023 working appropriation, largely the result of an increase in state funding related to general salary increases. General fund support increases by \$291.6 million, or 14.2 percent, over FY 2023, and the budget assumes in-state tuition rates will rise by 2 percent.

With respect to personnel, the size of the regular state workforce increases by 735 positions to 82,582 regular positions in FY 2024. The budget provides most state employees a 2 percent cost-of-living adjustment (COLA) and increments effective July 1, 2023. Law enforcement union members are provided with a 5 percent COLA and increments effective July 1, 2023.

There were several provisions that impacted spending in the FY 2024 budget. The most substantial impact results from a provision that reduces, in FY 2024 only, the Medicaid deficit assessment by \$50 million. The Medicaid deficit assessment is imposed on hospitals and used as special funds to support the Medicaid program. Absent these funds, additional general funds are required to meet the anticipated expenditures in Medicaid. Two actions in the budget are contingent on the provision, including a special fund reduction of \$50 million and a general fund appropriation of the same amount. Although it is unusual for the BRFA to provide a net increase in spending, this is a part of a series of actions being undertaken to assist in bringing Maryland back in compliance with Medicare savings and expenditure growth targets required under the Total Cost of Care model.



Various fiscal 2024 provider rate increases totaling \$262.3 million account for the largest component of spending growth and partially offset the budgetary impact of reduced enrollment and utilization. These rate increases include a 1.1 percent increase for managed care organizations and mandated rate increases ranging from 3 percent to 4 percent for certain Medicaid and behavioral health providers.

Also included in the BRFA was language to provide flexibility in the specialties for which University of Maryland School of Medicine faculty are required to be assigned to the University of Maryland Capital Region Medical Center for the purpose of providing clinical care.

a. Higher Education Budget Overview

State support for higher education in the fiscal 2024 budget totals \$3.3 billion, an increase of \$363.9 million, or 12.3 percent, over fiscal 2023. Public four-year institutions receive the bulk of the new state funds, totaling \$285.5 million, which includes general funds and monies from the Higher Education Investment Fund. This amount includes \$25.1 million budgeted to the public four-year institutions related to the settlement for historically black colleges and universities (HBCUs), which reflects that \$22 million of settlement funds went directly to attorney's fees in fiscal 2023.

Independent institutions receive \$137.1 million through the Joseph A. Sellinger Formula in fiscal 2024, an increase of \$18.5 million, or 15.6 percent, over fiscal 2023. The increase in fiscal 2024 is primarily related to annualization of fiscal 2023 general salary increases and fiscal 2024 general salary increases.

State aid to local community colleges will total \$476.3 million in fiscal 2024, an increase of \$41.0 million, which includes \$430.3 million in direct aid and \$46.1 million in retirement payments. Community colleges account for 4.6 percent of total state aid to local governments. The Cade funding formula is the main source of State funding in support of community colleges. The formula is based on a percentage (29 percent) of the current year's state aid to selected four-year public higher education institutions and the total number of FTE students at the community colleges. The total is then distributed to each college based on the previous year's direct grant, enrollment, and a small-size factor.

b. USM Operating Budget

The University System of Maryland (USM) receives an increase of \$250.7 million, or 12.9 percent, over FY 2023, which includes \$124.2 million for annualization of FY 2023 general salary increases as well as general salary increases in fiscal 2024.



The FY 2024 budget provides USM’s HBCUs (specifically Bowie State, University of Maryland Eastern Shore, and Coppin State) a total of \$36.2 million, as mandated in Chapters 41 and 42 of 2021. The increase also includes \$28.6 million for various other mandates including \$5.0 million as mandated in Chapter 38 of 2022 to establish the Climate Catalytic Capital Fund at the Maryland Clean Energy Center with the funds budgeted within the University of Maryland, College Park (UMCP) campus; \$5.0 million as mandated to fund workforce development initiatives at the Universities at Shady Grove Regional Higher Education Center; \$9.6 million as mandated in Chapter 765 of 2019 (an increase of \$2.4 million over the prior year); \$4.0 million each to the UMB campus and UMCP for the *MPowering the State* Steering Committee and \$1.6 million to the University of Maryland, Baltimore County (UMBC) to help further its research and economic development activities; \$1.5 million as mandated in Chapter 637 for the Institute for Public Leadership at UMCP; \$500,000 as mandated in Chapter 354 of 2022 to capitalize the Sustainable Maryland Program Fund administered by the University of Maryland Environmental Finance Center at UMCP; and \$250,000 as mandated in Chapters 30 and 574 of 2022 for the University of Maryland Center for Environmental Science for evaluation related to oyster substrate and planting. The General Assembly also added another \$8.5 million to fund various programs and initiatives at seven USM institutions.

c. UMB Operating Budget

The FY 2024 legislative allowance for UMB includes \$348.7 million in general funds and \$19 million in Higher Education Investment Funds.

d. Direct UMB Initiatives of Interest

- **\$12.4 million for Cigarette Restitution Fund research** for the University of Maryland Marlene and Stewart Greenebaum Comprehensive Cancer Center.
- **\$9.6 million** as mandated in Chapter 765 of 2019 (an increase of \$2.4 million over the prior year), providing \$4.0 million each to UMB and UMCP for the *MPowering the State* Steering Committee and \$1.6 million to UMBC to help further its research and economic development activities.
- **\$15 million** annually over two years to establish the Pathways to Health Equity Program Health Equity Resource Community (HERC) Reserve Fund with goals to reduce health disparities, improve health outcomes, improve access to primary care, and reduce health care costs and hospital admissions and readmissions. The University of Maryland School of Nursing (UMSON) is currently leading the RICH Collaborative, which is the precursor planning initiative for HERC.



- **\$5 million** to continue supporting the Pediatric Cancer Fund, which will be used to provide research, prevention, and treatment services for pediatric cancer.
- **\$10 million** in cancer research funding from Moonshot Initiative includes \$8.3 million for the University of Maryland Medical System (UMMS) and \$1.7 million for Johns Hopkins.
- **\$1.5 million** to the University of Maryland School of Medicine to create a rural residency program on the Eastern Shore to address the shortage of primary care providers.
- **\$785,000 for UMSON's Wellmobile**, which reflects the purchase of one new vehicle and operating funds for the program. It was funded at \$285,000 for FY 2022.
- **\$500,000 for the University of Maryland School of Dentistry** to provide preventive, restorative, urgent, and advanced oral health care for children in Baltimore not eligible for Medicaid oral health care.
- **\$4.4 million for the Loan Assistance Repayment Program (LARP)** for nurses, nursing assistants, physicians, and physician assistants including an increase of \$1 million for nurses and nursing assistants. UMB has been advocating for increased funding for LARP so more applicants can receive funding and the program can maintain a higher level of funding to match federal dollars.
- **\$125,000 each to UMB and the University of Baltimore (UBalt)** to establish the Legal Education Success Collaborative.
- **\$325,000 to the University of Maryland School of Medicine** from Family Health and Chronic Disease Services within the Maryland Department of Health providing a grant to the Center for Infant & Child Loss.

e. Other Operating Funding Items of Interest to UMB

- **\$7.8 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; University of Maryland, College Park; UMB; and UMBC) on commercialization proposals, strategies, and funding sources, including with federal laboratories located in Maryland; and facilitate technology transfer from university labs to startup companies.
- **Maintained \$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.

- **Maintained \$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.
- **\$10 million** for the Seed Community Development Anchor Institution Fund.
- **\$12 million** for the Biotechnology Investment Incentive Tax Credit.
- **\$750,000** for the Regional Institution Strategic Enterprise Zone Program.
- **\$1 million** for the Strategic Energy Investment Fund (administered by the Maryland Energy Administration) to support green energy initiatives at higher education institutions across the state.
- **\$1 million** in new funding for the creation of the Maryland Equitech Growth Fund, which will use multiple investment vehicles including direct investments, grants, and loans leveraged with private capital to promote a culture of innovation and entrepreneurship and to meet the goals of promoting equitable economic development in Maryland's advanced technology sectors.
- **\$10 million** for the Maryland Equity Investment Fund to help increase private equity and venture capital in the state.
- **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) schoolteachers (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).



- **\$19.1 million in funding for the Nurse Support Program II** to fund initiatives to expand the number of bedside nurses in the state.
- **\$10 million** in operating support for the University of Maryland Capital Region Medical Center.

f. UMB Capital Funding

- **\$4.565 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 (CIP) award amount for the electrical infrastructure project is \$82.968 million.
- **\$4.913 million for Capital Facilities Renewal Projects:** For campus-wide improvements such as facade stabilization and roof improvements, as well as mechanical and electrical infrastructure upgrades. UMB received \$4.996 million last year.
- **\$3.861 million for a new University of Maryland School of Social Work building:** To begin the designing of a building for a new School of Social Work.
- **\$700,000 to the University of Maryland School of Dentistry** for equipment to outfit a Dental Ambulatory Surgery Center at the School of Dentistry and \$2 million preauthorization for FY 2025.
- **\$2 million for the Institute for Health Computing** in the Department of General Services to design, construct, renovate, and capital equip laboratory and office space for the Institute for Health Computing at the North Bethesda Metro location. Funds shall be administered by UMB and \$2 million preauthorization for FY 2025.

g. Other Capital Funding Items of Interest to UMB

- **\$10 million** for the University of Maryland Shore Regional Hospital project in the Department of General Services to design, construct, and capital equip the University of Maryland Shore Regional Hospital. Further provided that funds be administered by UMMS and \$20 million preauthorized for FY 2025.
- **\$1.25 million** to University of Maryland Shore Medical Center at Chestertown to provide a grant to UMMS for the acquisition, planning, design, construction, repair, renovation,



reconstruction, site improvement, and capital equipping of the University of Maryland Shore Medical Center at Chestertown (Kent County).

- **\$36.5 million** for UMMS including \$27 million for the University of Maryland Capital Region Medical Center Cancer Center to fulfill the state’s \$67.5 million commitment.
- **\$9.5 million for R Adams Cowley Shock Trauma Center Renovation, Phase III Final:** This project replaces the current trauma resuscitation unit (TRU) 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.

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, 2023, 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 2023 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, 2023, 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 2023.

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 2024 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 2024 without prior approval of the Secretary of Budget and Management.

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. The budget committees request that MSDE submit a status update on the P-TECH program by August 1, 2023, 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 2023-2024 and 2024-2025 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 2024 and total projected cost for the program in fiscal 2025;*
- *average cost by student, program, and LEA for fiscal 2023; and*
- *projected average cost by student, program, and LEA for fiscal 2024 and 2025, including supplemental school and college grants by institution and LEA.*

R30B22 University of Maryland, College Park Campus Report on Undergraduate Process:

The committees request that the University of Maryland, College Park Campus (UMCP) submit a report on its undergraduate admissions process. The report should outline information on how students are reviewed for admission and the academic profile of the admitted students from the past three academic years. The report should also address efforts to recruit students from rural counties across Maryland.

Committee Narrative

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.*

Programs to Foster Equitable Growth in the Cannabis Industry: *Beginning in July 2023, Marylanders will be able to purchase recreational marijuana. With this new industry there is an education gap in not only providing those with knowledge and skills needed to work in industry, but also more research needs to be conducted about cannabis. Additionally, there is a workforce gap due to a lack of people who have the knowledge and skills to work in the cannabis industry. Moreover, communities most harmed by cannabis criminalization need access to training to participate in this emerging sector. The committees are interested in fostering the development of the cannabis industry and request the University System of Maryland (USM), Morgan State University (MSU), St. Mary's College of Maryland (SMCM), and the Maryland Association of*



Community Colleges (MACC) to establish a workgroup to investigate the development of cannabis focused programs, courses, and certificates to train students for the cannabis industry.

Improving the Academic Approval Process Report : *\$500,000 in funding is restricted for USM, MSU, SMCM, MHEC, the Joseph A. Sellinger formula, and the Senator John A. Cade funding formula until a report is submitted on recommendations to improve MHEC’s program approval process to make it a transparent, efficient, evidence-based, and timely process that will allow institutions the flexibility to respond to the needs of the State and students.*

The report shall be submitted by a workgroup consisting of one member from the Senate Budget and Taxation Committee, one member from the Senate Education, Energy, and the Environment Committee, two members from the House Appropriations Committee, and one representative each from USM, MSU, SMCM, the Maryland Independent College and University Association, the Maryland Association of Community Colleges, and the Secretary of MHEC. The report shall include recommendations regarding whether MHEC shall: (1) develop operational missions to differentiate each institution’s roles in meeting the State’s goals; (2) develop three-year institutional plans to help facilitate efficient coordination of academic degree program offerings; (3) develop mechanisms to ensure that objective data demonstrates that proposed programs support State workforce needs and the economic competitiveness of the State and that MHEC has sufficient data analytics staff to evaluate these objectives; (4) develop measurable criteria to determine when a proposed new program is considered unreasonable/unnecessary duplicative; (5) make any revisions to the objection process, including any recommended statutory changes; (6) make any revisions of the criteria that trigger a full program review; (7) given projected enrollment declines, make any revisions to the program approval process to encourage collaboration among institutions to ensure viable programs; and (8) make any revisions to ensure that the program approval process has the primary goal of meeting the needs of the students and the State while ensuring full compliance with all applicable laws and legal precedents regarding program approval with respect to the Historically Black Colleges and Universities. The report shall be submitted by December 1, 2023, and the committees shall have 45 days from the date of the receipt of the report to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Add the Following Section: Reduction of Reinvestment Savings Contribution

SECTION 21. AND BE IT FURTHER ENACTED, *That for Fiscal 2024, the general fund reduction in the Executive Branch above shall include a reduction of \$3,274,808 to the appropriation for program R75T00.01 State Support for Higher Education Institutions, and that the Unrestricted Fund appropriation for the purpose of employee retirement contributions for the University System of Maryland shall be reduced by \$2,830,251 and the Unrestricted Fund*



appropriation for the purpose of employer retirement contributions for Morgan State University shall be reduced by \$444,557.

Add the Following Section: Across-the-Board Reductions and Higher Education

SECTION 24. 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 USM, 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 35. AND BE IT FURTHER ENACTED, *That immediately following the close of fiscal 2023, 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 2023 and on the first day of fiscal 2024. Authorized positions shall include all positions authorized by the General Assembly in the personnel detail of the budgets for fiscal 2023 and 2024, including nonbudgetary programs, the Maryland Transportation Authority, the University System of Maryland self-supported activities, and the Maryland Correctional Enterprises.*

Add the following section: Requirement of Separate Budget Codes for Pay-As-You-Go Appropriation for Higher Education Institutions

SECTION 41. AND BE IT FURTHER ENACTED, *That the Department of Budget and Management shall establish separate eight-digit budget codes for capital pay-as-you-go (PAYGO) appropriations for each University System of Maryland institution including the Universities at Shady Grove, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College. When multiple projects are budgeted within the same eight-digit budget code, each distinct project shall be budgeted in a distinct subprogram.*

Capital Budget

RB36 University System of Maryland Office University System

Report on Deferred Maintenance: The committees request that the University System of Maryland Office (USMO) provide a report summarizing the backlog of deferred maintenance at University System of Maryland (USM) institutions and regional higher education centers. The report should include, by institution, the total amount of the backlog, funding sources, and



spending on deferred maintenance and USM's efforts to ensure institutions are making progress toward reducing their backlog of deferred maintenance. The report should be submitted by September 15, 2023.

II. Key Bills of 2023

This section of the *2023 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 2023 Legislative Session Report \[PDF\]](#) prepared by our colleagues at the USM Office of Government Relations.

a. Economic Development & Administration

State Personnel - Collective Bargaining - Supervisory and Managerial Employees (HB 183/SB 298)

USM Position: Support with Amendments

Final Status: Held in Committee

This bill would have repealed the statutory exclusion from collective bargaining for supervisory and managerial state employees in Executive Branch agencies as well as those employed by public state institutions of higher education — hereby establishing collective bargaining rights for those employees. Eligible supervisory and managerial employees must be defined by regulations, adopted by the Secretary of Budget and Management or the governing board of the institution of higher education, as appropriate. Generally, supervisory employees must have a separate bargaining unit, and managerial employees must have a separate bargaining unit. However, for each institution of higher education, each group of supervisory and managerial employees must have their own separate bargaining units.

Probation Before Judgment - Probation Agreements (HB 193/SB 211)

UMB Position: Support

Final Status: Passed

This bill authorizes a court to place a defendant on probation before judgment (PBJ) if the defendant pleads not guilty, the court finds facts justifying a finding of guilt beyond a reasonable doubt, and specified conditions are met. The bill makes corresponding statutory changes and establishes procedures and requirements for a probation before judgment granted under this circumstance.



“The General Assembly did not intend for a PBJ to carry with it the same consequences as a conviction. When it enacted the probation before judgment statute, the General Assembly acknowledged in the very language of the statute that a PBJ should afford lenience in situations where ‘the best interest of the person and welfare of the state’ dictate an outcome in a criminal matter that is not a conviction.”

“This bill fills an important gap in Maryland criminal law by ensuring that all people have equal access to probation. Currently, there is no existing Maryland law or disposition that can both hold the defendant accountable and provide a resolution of a criminal case without triggering federal immigration consequences.”

Written and Oral Testimony in Support

By Gabriela Q. Kahrl, Kathryne Robinson, and Kaska Watson, University of Maryland Francis King Carey Law Immigration Clinic

State Personnel - Collective Bargaining - Faculty, Part-Time Faculty, and Graduate Assistants (HB 275/SB 247)

USM Position: Oppose

Final Status: Held in Committee

This bill would have authorized faculty, part-time faculty, and graduate assistants at USM, Morgan State University, and St. Mary’s College of Maryland to collectively bargain. The bill would have taken effect July 1, 2023.

Public Health - Dental Services - Access (HB 290/SB 237)

UMB Position: Support

Final Status: Passed

This bill requires each child care provider and local board of education to provide notice of the clinical need for dental screenings for children at specified ages. The bill alters the Maryland Dent-Care Program and requires the state Board of Dental Examiners to publish a searchable list of mobile/portable dental service providers. The Maryland Department of Health (MDH) must (1) annually evaluate Medicaid dental reimbursement rates; (2) create and distribute specified “plain language” materials related to dental services; (3) convene a stakeholder workgroup to study the establishment of a specified grant or loan program for dental providers; (4) conduct a study on dental provider participation in Medicaid; and (5) conduct a study on providing



Medicaid reimbursement for services provided by a certified community health worker (CHW). The bill was heavily amended and will take effect July 1, 2023.

“While Maryland has made much progress in the last decade to improve the oral health status of its residents, access to care remains a significant concern. Oral health is a critical component of overall health, and sustainable strategies to improve access to oral health care are imperative. We at the University of Maryland School of Dentistry are excited to continue our work to advance oral health and improve the quality of life in Maryland communities, particularly those most vulnerable.”

Written Testimony in Support

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

Public Institutions of Higher Education - Student Withdrawal Policy - Reimbursement of Tuition and Fees (Cameron Carden Act of 2023) (HB 295)

USM Position: Oppose

Final Status: Held in Committee

This bill would have required each public institution of higher education to adopt a policy that authorizes a student to withdraw for “extenuating circumstances” (which specifically includes illness, injury, hospitalization, and mental health and wellness). The policy must include a provision to reimburse tuition and fees for the semester in which a student withdraws if the extenuating circumstances inhibit the student’s ability to acquire an education at the public institution of higher education, as defined in the policy. The bill would have taken effect July 1, 2023.

Public Health - Rare Disease Advisory Council (HB 302/SB 188)

UMB Position: Support with Amendments

Final Status: Passed

This bill establishes a Rare Disease Advisory Council to enhance research and provide policy recommendations on matters related to individuals living with rare diseases in the state. The council’s general duties include (1) performing a survey to establish the needs of rare disease patients, caregivers, and health care providers in the state; (2) developing policy recommendations; (3) creating a publicly accessible webpage; (4) providing an annual report to the governor and the General Assembly; and (5) providing recommendations to address the needs of individuals living with rare diseases in the State. The Maryland Department of Health



(MDH) must staff the council. Members may not receive compensation but are entitled to reimbursement for travel expenses under the standard state travel regulations.

Tax Clinics for Low-Income Marylanders - Funding - Repeal of Sunset (HB 346/SB 312)

UMB Position: Support

Final Status: Passed

This bill makes the \$250,000 distribution from the state’s Unclaimed Property Fund by the comptroller to the Tax Clinics for Low-Income Marylanders Fund (TCLIM) permanent beginning in FY 2024; the authorization for the governor to include an appropriation to TCLIM in the annual budget is unaffected. The bill takes effect July 1, 2023.

“During the 2021 legislative session, a special fund was created to provide supplemental grant funding for the University of Maryland Carey School of Law, the University of Baltimore School of Law [UBalt], and the Maryland Volunteer Lawyers Service [MVL] to operate tax clinics for low-income state residents. I am pleased to share with you the incredible work the Carey School of Law has been engaged in to actively support Marylanders since standing up our Low-Income Tax Clinic, conducting 16 outreach events [in person and virtual] and estimating our reach to be approximately 40,862 Maryland taxpayers.

“The 2021 legislation called for the comptroller to distribute \$250,000 equally divided between the three entities [UBalt, Carey Law, and MVLS] for fiscal 2022 and 2023. In order to continue our good work for the citizens of Maryland, it is imperative that SB 312 pass so that funding of the program can continue in Fiscal Year 2024 and beyond.”

Written and Oral Testimony in Support

By Renée McDonald Hutchins, JD, Dean, and Beverly Winstead, JD, Clinical Director and Clinical Law Instructor, Low-Income Taxpayer Clinic, University of Maryland Francis King Carey School of Law

Institutions of Higher Education - Transcripts - Prohibition on Punitive Measures Related to Student Debt (HB 384/SB 248)

USM Position: Support with Amendments

Final Status: Passed

This bill prohibits an institution of higher education from refusing to provide a current or former student with a transcript or taking other punitive measures regarding a student’s transcript request because the student owes a debt to the institution. A debt does not include the fee, if any,



charged to a student for the actual costs of providing a transcript; however, an institution may not charge a higher transcript fee to a student who owes a debt. The bill takes effect July 1, 2023.

**University System of Maryland - Board of Regents - Student Member Grant
(HB 428/SB 142)**

USM Position: Support

Final Status: Passed

This bill authorizes the USM Board of Regents to award a grant consisting of private donor funds to a student member of the board during the first year of a two-year term. This is in addition to the tuition waiver the board may already grant in a student member's second year. The grant may not exceed the cost of the tuition and fees incurred by the student member during the first year of a student's term or cause the total amount of financial aid provided by the student to exceed the cost of attendance for the year. The bill takes effect July 1, 2023.

**Economic Development - Regional Institution Strategic Enterprise Zone Program -
Alterations and Financing (HB 471/SB 333)**

UMB Position: Support

Final Status: Passed

This bill extends the termination date of the Regional Institution Strategic Enterprise (RISE) Zone Program by two years to Jan. 1, 2030, and extends the duration of a RISE zone designation from five to 10 years. The bill alters a related definition pertaining to the Maryland Economic Development Corporation (MEDCO) by explicitly including RISE zones. The Department of Commerce, in consultation with specified stakeholders, must study the effectiveness of the RISE Zone Program and must report recommendations to improve the effectiveness of the program to the General Assembly by Dec. 15, 2024.

“Despite numerous efforts over the past 10 years, it has been difficult to engage with developers to develop highly specialized wet lab facilities. Lab facilities are expensive to build and not conducive to pre-leasing given the growth trajectory of these early-stage life science companies. It is crucial that Maryland provide support in the earliest stages and have facilities to accommodate the growth to support life science companies. This bill would assist by providing another tool that would enable us to ensure that successful companies stay in Maryland and continue to contribute to the economy.

“Additionally, HB 471 would have a significant impact on the continued expansion of the University of Maryland BioPark. As written, it could assist our fledgling early-stage biotech and life science companies that need access to affordable tenant improvements and



infrastructure. UMB could utilize this tool to build out a flex labs model with shared facilities to support life science companies in the UM BioPark.”

Written and Oral Testimony in Support

By James L. Hughes, MBA, Senior Vice President and Chief Enterprise and Economic Development Officer, UMB

Public Senior Higher Education Institutions - Reproductive Health Services Plans - Requirements (HB 477/SB 341)

USM Position: Support with Amendments

Final Status: Passed

This bill requires a “public senior higher education institution,” in consultation with students, to develop and implement a reproductive health service plan, as specified, to provide at the institution or to refer students to a comprehensive range of reproductive health services. Plans must be developed by Aug. 1, 2024, and updated annually. The Maryland Department of Health (MDH), on request, must provide assistance to a public senior higher education institution in developing a reproductive health services plan. In lieu of developing and implementing a plan, the University of Baltimore must provide students with access to over-the-counter contraception through on-campus retail establishments or vending machines.

Economic Development - Build Our Future Grant Pilot Program and Fund (Innovation Economy Infrastructure Act of 2023) (HB 552/SB 549)

UMB Position: Support

Final Status: Passed

This administration bill establishes the Build Our Future Grant (BOFG) Pilot Program and Fund (BOFGF) in the Department of Commerce to provide grant funding for infrastructure projects intended to support innovation in eligible technology sectors. Under the program, grants of up to \$2.0 million may be awarded to private companies, nonprofits, local governments, or colleges and universities in the state and may be used to defray specified costs associated with an eligible innovation infrastructure project. A grant recipient must provide matching funds of either 200 percent or 400 percent, depending on the size of the grant. Additional requirements are placed on grants to and used by colleges and universities. A single entity is limited to \$2.0 million in grants in a fiscal year. The Department of Commerce administers BOFGF, which may be used to provide grants and for administrative costs (up to 10 percent). The bill takes effect July 1, 2023, and terminates June 30, 2027.



“UMB is the state’s academic medical center campus with six professional schools, spinning out 10 new startups each year based on university faculty intellectual property. As part of our commercialization and investment activities, UMB and our colleagues at UMCP routinely support and work with many entities in the sectors defined in this legislation to grow and expand in Maryland. We understand the unique infrastructure and educational needs of technology-based companies as well as their high economic impact in the state. The majority of these companies operate with very little expendable income in the earliest years but tend to grow exponentially with high dividends to the state once they hit certain inflection points in their commercialization pathway. Fostering the creation of wet laboratories, prototype manufacturing centers, and other infrastructure improvements is critical to the long-term growth and stability of emerging technology firms and will greatly benefit Maryland’s economy and competitiveness.

“The matching component in SB 549 demonstrates Maryland’s commitment to support these critical projects while encouraging investment in the state. This is often a critical component in leveraging private investment into large projects.”

Written and Oral Testimony in Support

By James L. Hughes, MBA, Senior Vice President and Chief Enterprise and Economic Development Officer

State Employee and Retiree Health Benefits - Creditable Service (HB 581/SB 395)

UMB Position: Support

Final Status: Passed

This bill redefines “creditable service” for the purpose of determining eligibility for retiree health benefits from the State Employee and Retiree Health and Welfare Benefits Program (the state plan) to be any period during which an individual was employed by the state in the executive, legislative, or judicial branch and enrolled as a member of any plan in the State Retirement and Pension System (SRPS) or in the Optional Retirement Program (ORP). It makes conforming changes to the calculation of years of service under ORP for the purpose of calculating eligibility for retiree health benefits to include any employment in the executive, legislative, or judicial branch during which an individual was a member of SRPS. The bill takes effect June 1, 2023.

Commission to Study Trauma Center Funding in Maryland (HB 675/SB 493)

UMB Position: Support

Final Status: Passed



This bill establishes a Commission to Study Trauma Center Funding in Maryland to study the adequacy of trauma center funding across the state for operating, capital, and workforce costs. The Maryland Institute for Emergency Medical Services Systems (MIEMSS) and Maryland Health Care Commission (MHCC) must jointly staff the commission. A member of the commission may not receive compensation but is entitled to reimbursement for expenses under standard state travel regulations. By Dec. 1, 2023, the commission must report its findings and recommendations to the governor and General Assembly. The bill takes effect June 1, 2023, and terminates June 30, 2024.

Access to Counsel in Evictions – Funding (HB 1050/SB 756)

UMB Position: Support

Final Status: Passed

This bill repeals the termination date for Chapter 40 of 2022 and makes permanent the requirements for the Office of the Comptroller to distribute \$14.0 million annually from the State’s Unclaimed Property Fund to the Access to Counsel in Evictions (ACE) Special Fund. The governor must include an appropriation of \$14.0 million from the ACE Special Fund to the Maryland Legal Services Corporation (MLSC). The bill takes effect July 1, 2023.

“The clinic I teach in exists because of Access to Counsel in Evictions funding. Without that funding, the clinic would cease to exist, and students would no longer receive the benefits of clinical education in this essential field. It is, in my estimation, essential that the law schools in the state take an active role in cultivating future generations of legal services attorneys and in inspiring a deeply held commitment to pro bono participation. In order for the work we do to continue, there must be stable and consistent funding.”

Written Testimony in Support

By Daniel Rosenberg, JD, Clinical Instructor, Eviction Prevention Law Clinic, University of Maryland Francis King Carey School of Law

“As a student participating in the University of Maryland School of Law’s Eviction Prevention Clinic, I firmly believe that the work I have done on behalf of my clients has been incredibly important to my law school education because it exposed me to parts of legal practice that are otherwise out of reach for law students. I will never forget the experience of meeting my first client, finding out she had a court appearance that week, and feeling overwhelmed by the idea of being her legal counsel. Before this clinic, I had never felt the pressure of preparing a case that would have an actual impact on someone’s life.”



Written Testimony in Support

By Gavin Grossman, Student, Eviction Prevention Law Clinic, University of Maryland Francis King Carey School of Law

University System of Maryland - Affiliated Foundations (HB 1179)

UMB Position: Support

Final Status: Held in Committee

This bill would have explicitly allowed officials or employees of the University System of Maryland (USM), its constituent institutions, centers, or institutes to accept a research grant through an affiliated foundation if the research grant cannot be directly accepted because of conditions required by the grantor, including providing an indemnity or purchasing indemnity insurance as a condition of receiving the research grant. Consequently, the bill would have exempted USM officials or employees from the Maryland Ethics Laws that prohibit employment by an affiliated foundation, as specified. The bill would have taken effect July 1, 2023.

USM—Board of Regents— Quasi-Endowment Funds (SB 426)

USM Position: Favorable

Status: Passed

Senate Bill 426 authorizes the USM Board of Regents to establish quasi-endowment funds and use investment income produced to provide student financial aid. A quasi-endowment is an investment established by the governing board with the expectation that the fund be managed to produce spendable income annually that would be used for a specific purpose. Like other types of endowments, the expectation is that the original invested amount be invested and managed to last in perpetuity, with only the income used annually for the specified purpose. In 2013 and 2017, the General Assembly passed similar bills for the establishment of quasi-endowment funds for \$50 million each to support development activities and facilities renewal projects. The USM, along with affiliated fund-raising foundations pool their endowment funds and invest them in a single portfolio that is managed to last into perpetuity. The spending from the funds is guided by a policy that determines how much can be taken out of the funds. The spending rate is a target of 4.25% of market value each year. The combination of the investment and spending policies are designed to ensure that the fund grows in value each year and is managed to maintain its purchasing power into the future. As most USM institutions have a large population of students who are Pell eligible, it is imperative that we continue to prioritize making higher education accessible and affordable for all students. Senate Bill 426 will allow USM to establish a quasi endowment of no more than \$150,000,000 from balances held and invested by the State Treasurer. Spendable income, by the direction of the Board, will be used to provide scholarships



to our students. Senate Bill 426 will also provide a funding stream of over \$6,000,000 to fund scholarships to students. The bill takes effect July 1, 2023.

b. Academic and Research Policy

Cannabis Reform (HB 556/SB 516)

UMB Position: Support with Amendments

Final Status: Passed

This emergency bill (1) renames the Alcohol and Tobacco Commission as the Alcohol, Tobacco, and Cannabis Commission (ATCC) and expands its duties to include the regulation of cannabis; (2) establishes the Cannabis Regulation and Enforcement Division (the cannabis division) in ATCC to oversee the regulation of adult-use cannabis and designates the cannabis division as the successor of the Maryland Medical Cannabis Commission (MMCC) in all matters concerning the regulation of medical cannabis; (3) establishes a licensing framework for the regulated sale of cannabis in the state; (4) establishes a graduated sales and use tax applicable to the sale of adult-use cannabis; (5) establishes the Office of Social Equity (OSE) and the Social Equity Partnership Grant Program in ATCC; (6) establishes an advisory board; and (7) includes various provisions to encourage participation by “social equity applicants.”

“Family separation has a long-lasting impact on children and results in trauma, worse mental and physical health, and lower academic achievement. The war on drugs disproportionately affected families of color through uneven enforcement of laws and led to incarceration and family separation. While HB 556 ensures that adults who responsibly use cannabis will not face legal liability relating to their custody or child visitation rights, that same protection is not offered to guardians in the child welfare context. The addition of protections for guardians in the child welfare context would prevent unnecessary family separation and would lead to better health and more opportunity for these children.”

Written and Oral Testimony in Support

By Robert Velazquez, Student, Public Health Law Clinic, University of Maryland Francis King Carey School of Law

Animal Testing and Research - Human-Relevant Research Funding and Animal Testing and Research Contributions (HB 626/SB 560)

UMB Position: Support with Amendments

Final Status: Passed



This bill requires specified entities that conduct research using nonhuman animals to make a payment to the Maryland Department of Health (MDH) each year based on the number of animals used in their research. The Secretary of Health must distribute the revenues to the Human-Relevant Research Fund (HRRF), a special fund created by the bill in the Maryland Technology Development Corporation (TEDCO) to promote state-funded research intended to develop human-relevant alternatives to using nonhuman animals in testing and research through grants and loans. TEDCO must establish the program, as specified. HRRF may only be used for TEDCO's administrative costs and to provide grants and loans. The bill takes effect July 1, 2023. By January 15 each year, beginning in 2024, each research facility that is located in the State and is required to submit an Animal and Plant Health Inspection Service (APHIS) Form 7023 must make a payment to MDH based on the total number of animals used in its research.

Of the 35 registrants required to make annual payments under the bill based on the 2021 APHIS Form data, 4 are public senior institutions of higher education. Based on the number of animals listed on the form, those institutions must pay a combined \$120,000 each year beginning in fiscal 2024, as follows:

- Towson University, \$5,000;
- Frostburg State University, \$5,000;
- University of Maryland, College Park Campus, \$55,000; and
- University of Maryland, Baltimore Campus, \$55,000.

USM researchers shared through their testimony that they consider all alternatives to procedures by employing appropriate, protocol specific search strategies, regardless of species being guided by the approach of the Three Rs which represents a practical method for implementation referring to replacement, refinement, and reduction when deciding to use animals in research and in designing humane animal research studies. We were successful in offering amendments that were accepted by the advocates and legislature which considered current practices that all laboratory animal work must be approved by the Institutional Animal Care and Use Committee (IACUC) in accordance with the Animal Welfare Act, The Guide for the Care and Use of Laboratory Animals, and other federal regulations.

***“As amended, we support the overall concept of establishing the Human-Relevant Research Fund to provide additional resources to develop alternatives to using nonhuman animals in medical and product testing and research. We adhere to all federal regulations, are inspected once a year, have internal protocol measures and oversight in place, and provide an annual report to the U.S. Department of Agriculture as a registered research facility.*”**

***“While animal-based research is necessary for the development of lifesaving and life-altering treatments for people and animals, UMB and UMCP hold firm to the belief that we have an*”**



ethical and moral responsibility to provide quality, compassionate, and humane treatment of all our animals. We also recognize that our responsibility to our animals does not end when a research project concludes.”

Written and Oral Testimony in Support

By Gregory Ball, PhD, Vice President for Research, UMB and UMCP

c. Regulation of the Professions

State Board of Social Work Examiners - Temporary License to Practice Social Work (HB 103/SB 145)

UMB Position: Support

Final Status: Passed

This bill authorizes the State Board of Social Work Examiners, under specified circumstances, to issue a temporary license to an applicant who, except for passing the required examination, has otherwise completed the education and experience requirements for a license to practice bachelor or master social work. The board may issue a temporary license if an administrative delay prevents a required examination from being available to an applicant for at least 15 business days. A temporary license is valid until 180 days after the examination becomes readily available to the applicant. A temporary license authorizes the holder to practice bachelor or master social work in the state only under the supervision of a board-approved supervisor. Unless the board agrees to accept the surrender of a license, the holder of a temporary license may not surrender the license or allow the license to lapse while the licensee is under investigation or while charges are pending against them. The bill also requires the board to submit a specified annual report.

“The University of Maryland School of Social Work appreciates the opportunity to provide testimony in favor of SB 145 and HB 103. These bills authorize the State Board of Social Work Examiners, under specified circumstances, to issue a temporary license to an applicant who, except for passing the required examination, has otherwise completed the education and experience requirements for a license to practice bachelor or master social work. We graduate on average 450 MSWs each year and represent an extensive, skilled, and dedicated workforce of social workers in Maryland. We support all efforts to provide temporary licenses under specified circumstances.

“With social work workforce shortages across the nation, it is imperative for us all to work together to find responsible resolutions.”

Written Testimony in Support

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



Health Occupations - Licenses, Certificates, and Registrations - Lawful Presence and Identification Numbers (HB 454/SB 187)

UMB Position: Support

Final Status: Passed

This bill prohibits a health occupations board from requiring as a condition for licensure, certification, or registration that an applicant (1) provide proof of lawful presence in the United States or (2) have a Social Security number or individual taxpayer identification number. The bill authorizes the use of an individual taxpayer identification number or alternative documentation (as permitted by the U.S. Department of Health and Human Services under the federal Social Security Act) for licensing purposes. It does so by specifying that each health occupations board must require each applicant for a license to either disclose the applicant's Social Security number (as required under current law) or individual taxpayer identification number or provide alternative documentation. The bill makes other related changes in the Family Law Article and the Health Occupations Article.

“By establishing a Maryland-only license for nursing and allowing applicants for the Maryland-only license to use either a Social Security number or a federal Individual Taxpayer Identification number, individuals who would otherwise meet the requirements for licensure, but who are not eligible for a Social Security number, including noncitizens and some immigrants, would have a pathway for practice in Maryland. This is particularly important as we seek to retain Maryland residents who have been educated within our state as much-needed health professionals in Maryland.

“In addition to undocumented individuals, Maryland's health care system benefits enormously from graduates of foreign nursing schools. Allowing use of the Individual Taxpayer Identification number would provide another pathway for licensure and employment of those graduates of foreign nursing schools who meet the educational and language proficiency requirements of Maryland.”

Written and Oral Testimony in Support

By Jane M. Kirschling, PhD, RN, FAAN, Bill and Joanne Conway Dean, University of Maryland School of Nursing

Physician Assistants - Parity with Other Health Care Practitioners (Physician Assistant Parity Act of 2023) (HB 722/SB 674)

UMB Position: Support

Final Status: Held in Committee



This bill would have (1) authorized a physician assistant (PA) to perform numerous additional duties, as specified; (2) require that health maintenance organization (HMO) quality of care standards must include a requirement that each HMO member have an opportunity to select a PA as a primary care provider from among those available to the HMO (although an HMO is not required to include PAs on its provider panel as primary care providers); (3) adds a PA member to the Statewide Advisory Commission on Immunizations; (4) adds primary care PA services to the definition of “primary care” and requires the Maryland Health Care Commission (MHCC) Primary Care Services Workgroup to include specified PA representatives; and (5) excludes a PA from the definition of “health care practitioner” with respect to health care staffing agencies.

“As vice dean, I am closely involved with clinical site procurement and oversight as well as programmatic review and evaluation. I can attest that consistently our program outcomes on national certifying exams exceed the national average, and our graduates serve side-by-side with our physicians and nurses on the front lines across medical specialties. Increasingly our graduates, who predominantly are from Maryland and wish to seek employment in Maryland, are burdened by antiquated practice regulations and laws that delay and prohibit their practice and utilization, despite their rigorous education and experience. The proposed legislation does not change the scope of practice of PAs; rather, it removes administrative barriers that are currently delaying the hiring and optimal utilization of these front-line health care providers. PAs are educated to practice on teams, in collaboration with physicians and other health care team members, to provide patient-centric, quality care.”

Written Testimony in Support

By Flavius R.W. Lilly, PhD, MA, MPH, Vice Dean, Graduate School, and Vice Provost, Student and Academic Affairs, UMB

Physician Assistants - Revisions (Physician Assistant Modernization Act of 2023) (HB 727/SB 673)

UMB Position: Support

Final Status: Held in Committee

This bill would have required a physician assistant (PA) to have a “collaboration registration” rather than a delegation agreement and would have authorized a PA who has submitted a collaboration registration to the Maryland Board of Physicians (MBP) to practice medical acts that are appropriate to the physician assistant’s education, training, and experience (rather than medical acts delegated by a supervising physician under an approved delegation agreement). A PA may perform additional duties within a PA’s scope of practice, as specified, and “personally prepare and dispense” prescription drugs, as specified (rather than prescribe and dispense prescription drugs as delegated by a supervising physician under a delegation agreement). The



bill also would have altered the education and examination requirements for licensure, established specified immunity for PAs practicing during a disaster, and make other conforming changes.

“As vice dean, I am closely involved with clinical site procurement and oversight as well as programmatic review and evaluation. I can attest that consistently our program outcomes on national certifying exams exceed the national average, and our graduates serve side-by-side with our physicians and nurses on the front lines across medical specialties. Increasingly our graduates, who predominantly are from Maryland and wish to seek employment in Maryland, are burdened by antiquated practice regulations and laws that delay and prohibit their practice and utilization, despite their rigorous education and experience.”

Written Testimony in Support

By Flavius R.W. Lilly, PhD, MA, MPH, Vice Dean, Graduate School, and Vice Provost, Student and Academic Affairs, UMB

State Board of Dental Examiners - University of Maryland School of Dentistry Faculty - Qualifying for Examination (HB 1159)

UMB Position: Support

Final Status: Passed

This bill expands the qualifications by which a faculty member at the University of Maryland School of Dentistry (UMSOD) trained at a foreign dental school may qualify to take an examination offered by the American Board of Dental Examiners, Inc. (ADEX). A faculty member may qualify if they are a general dentist who (1) has successfully completed a general dental practice residency or advanced education in a general dentistry program, or (2) is board-certified by the American Board of General Dentistry. As under current law, to qualify to take the examination, the faculty member also must be (1) a full-time faculty member at UMSOD who has completed at least seven consecutive years as a full-time faculty member, and (2) submit to the State Board of Dental Examiners (BDE) a specified written letter of support from UMSOD.

“The University of Maryland School of Dentistry supports HB 1159, which would establish a pathway for faculty members who completed training at a foreign dental school to qualify by the State Board of Dental Examiners to take an examination offered by the American Board of Dental Examiners, Inc., or its successor organization. According to a recent article in the Journal of Dental Education [September 2022], dental education in the United States is still facing a faculty workforce shortage. In 2015–2016, over 40 percent of full-time dental faculty in the United States was reported to be over 60 years of age, suggesting that there is an



impending wave of faculty retirements in the coming years. HB 1159 will strengthen the ability of the School of Dentistry to recruit and retain highly qualified faculty members.”

Written Testimony in Support

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

Testimony and briefings during the 2023 Session of the Maryland General Assembly of interest to the UMB community.

Date	Committee/ Meetings	Subject	Individual
1/26	Health and Government Operations	Overview of Health Occupations Boards and Health Care Workforce Shortage Issues Briefing	❖ Jane M. Kirschling, PhD, RN, FAAN, Bill and Joanne Conway Dean, University of Maryland School of Nursing (UMSON)
1/31	Judicial Proceedings	SB 13 Family Law - Custody Evaluators - Qualifications and Training	❖ Judy L. Postmus, PhD, MSW, Dean, University of Maryland School of Social Work (UMSSW)-Support
1/31	Appropriations	HB 183 State Personnel - Collective Bargaining - Supervisory and Managerial Employees	❖ Malika S. Monger, MPA, PHR, University of Maryland, Baltimore (UMB)-Support with Amendments
1/31	Appropriations	HB 184 State Personnel - Education and Transportation - Grievance Procedures	❖ Malika Monger, UMB-Support with Amendments
2/1	Finance	SB 162 Maryland Aviation Commission - Duties, Composition, and Member Orientation	❖ Zafar Zafari, MSc, PhD, University of Maryland School of Pharmacy (UMSOP)-Support
2/1	Ways and Means	HB 69 Education - Student Behavior - Parent and Guardian Notice and Required Counseling (Parent and Guardian Accountability Act)	❖ Emily Ames-Messinger, MSW, University of Maryland School of Social Work (UMSSW), Representing Maryland Coalition to Reform School Discipline-Oppose



2/2	Judiciary	HB 203 Education - Reporting Arrests of Students - Alterations	❖Emily Ames-Messinger, UMSSW, Representing Maryland Coalition to Reform School Discipline- Oppose
2/2	Environment and Transportation	HB 12 Equitable and Inclusive Transit-Oriented Development Enhancement Act	❖Kevin P. Kelly, JD, University of Maryland, Baltimore (UMB)-Support
2/2	Judicial Proceedings	SB 27 Criminal Procedure - Restorative Justice Program	❖Leigh Goodmark, JD, University of Maryland Carey School of Law (UMCSOL)-Support
2/7	Finance	SB 187 Health Occupations - Licenses, Certificates, and Registrations - Lawful Presence and Identification Numbers	❖Jane Kirschling, UMSON-Support
2/7	Finance	SB 188 Public Health - Rare Disease Advisory Council	❖Miriam G. Blitzer, PhD, University of Maryland School of Medicine (UMSOM)-Support with Amendments
2/7	Finance	SB 145 State Board of Social Work Examiners - Conditional and Temporary Licenses to Practice Social Work	❖Judy L. Postmus, UMSSW-Support with Amendments
2/7	Judiciary	HB 193 Probation Before Judgment - Probation Agreements	❖Gabriela Kahrl, JD, University of Maryland Carey School of Law (UMCSOL)-Support
2/8	Education, Energy and the Environment	SB 199 Primary and Secondary Education - Comprehensive Health Education Framework - Established	❖Wendy Lane, MD, MPH, University of Maryland School of Medicine (UMSOM)-Support with Amendments



2/8	Budget and Taxation	SB 333 Economic Development – Regional Institution Strategic Enterprise Zone Program – Alterations and Financing	❖ James L. Hughes, MBA, University of Maryland (UMB)-Support
2/8	Budget and Taxation	SB 312 Tax Clinics for Low- Income Marylanders - Funding - Repeal of Sunset	❖ Beverly Winstead, JD, University of Maryland Carey School of Law (UMCSOL)-Support
2/8	Judicial Proceedings	SB 211 Probation Before Judgment - Probation Agreements	❖ Gabriela Kahrl, JD, UMCSOL-Support
2/9	Judiciary	HB 285 Family Law - Custody Evaluators - Qualifications and Training	❖ Judy Postmus, UMSSW- Support
2/9	Health and Government Operations	HB 103 State Board of Social Work Examiners - Temporary License to Practice Social Work	❖ Judy Postmus, UMSSW- Support with Amendments
2/9	Ways and Means	HB 346 Tax Clinics for Low- Income Marylanders - Funding - Repeal of Sunset	❖ Renée McDonald Hutchins, Dean, University of Maryland Carey School of Law (UMCSOL)-Support
2/10	Budget and Taxation Education, Business and Administration Subcommittee	SB 181 Operating Budget - University of Maryland, Baltimore	❖ Bruce E. Jarrell, MD, FACS, President, University of Maryland, Baltimore (UMB)-Support ❖ Dawn M. Rhodes, DBA, University of Maryland, Baltimore (UMB)-Support ❖ Roger J. Ward, EdD, JD, MSL, MPA, University of Maryland, Baltimore (UMB)-Support
2/14	Health and Government Operations	HB 59 Health and Wellness Standards - Correctional Facilities	❖ Nicholas Spiller, Student, University of Maryland Carey School of Law (UMCSOL)-Support



2/14	Health and Government Operations	HB 290 Public Health - Dental Services - Access	<ul style="list-style-type: none"> ❖ Mark Reynolds, DDS, PhD, MA, Dean, University of Maryland School of Dentistry (UMSOD)-Support ❖ Charles Doring, DDS, University of Maryland School of Dentistry (UMSOD)-Support
2/14	Finance	SB 237 Public Health - Dental Services - Access	<ul style="list-style-type: none"> ❖ Mark Reynolds, UMSOD-Support ❖ Charles Doring, UMSOD-Support
2/15	Appropriations Health and Human Services Subcommittee	HB 200 Operating Budget - MDH Prevention & Health Promotion Administration Cigarette Restitution Fund	<ul style="list-style-type: none"> ❖ Kevin Cullen, MD, University of Maryland School of Medicine (UMSOM)-Support
2/15	Appropriations Education and Economic Development Subcommittee	HB 200 Operating Budget - University of Maryland, Baltimore	<ul style="list-style-type: none"> ❖ Bruce Jarrell, UMB-Support ❖ Dawn Rhodes, UMB-Support ❖ Roger Ward, UMB Support
2/15	Judiciary	HB 481 Criminal Law - Wearing, Carrying, or Transporting a Handgun - Penalty	<ul style="list-style-type: none"> ❖ Lydia C. Watts, JD, University of Maryland Carey School of Law, (UMCSOL)-Oppose ❖ Michael Pinard, JD, University of Maryland Carey School of Law, (UMCSOL)-Oppose
2/16	Finance	SB 259 Business Regulation - Flavored Tobacco Products - Prohibition	<ul style="list-style-type: none"> ❖ Ashleigh Pagano, Student, University of Maryland Carey School of Law (UMCSOL)-Support
2/16	Ways and Means	HB 471 Economic Development - Regional Institution Strategic Enterprise Zone Program - Alterations and Financing	<ul style="list-style-type: none"> ❖ James Hughes, UMB-Support ❖ Mary Morris, University of Maryland, Baltimore (UMB)-Support



2/16	Ways and Means	HB 552 Economic Development - Build Our Future Grant Pilot Program and Fund (Innovation Economy Infrastructure Act of 2023)	❖ Mary Morris, UMB-Support
2/16	Economic Matters	HB 630 Utility Account Holders - Victims of Abuse - Protections	❖ Lydia Watts, UMCSOL-Support
2/17	Budget and Taxation Health and Human Services Subcommittee	SB 181 Operating Budget - MDH Prevention & Health Promotion Administration Cigarette Restitution Fund	❖ Kevin Cullen, UMSOM-Support
2/17	Economic Matters	HB 556 Cannabis Reform	❖ Rob Velazquez, Student, University of Maryland Carey School of Law (UMCSOL)-Support with Amendments
2/20	Economic Matters	HB 938 Alcoholic Beverages - Class A License - Food Retailers	❖ Kathleen Hoke, JD, University of Maryland Carey School of Law (UMCSOL)-Oppose
2/20	Economic Matters	HB 787 Alcoholic Beverages - Retail Delivery - Alterations and Third-Party Delivery Service Permit	❖ Kathleen Hoke, UMCSOL-Oppose
2/21	Health and Government Operations	HB 321 Cigarette Restitution Fund - Payments for Sale and Marketing of Electronic Smoking Devices - Use	❖ Kathleen Hoke, UMCSOL-Support with Amendments
2/22	Ways and Means	HB 628 Primary and Secondary Education - Breakfast and Lunch Programs - Universal Expansion	❖ Allyson Wade, Student, University of Maryland Carey School of Law (UMCSOL)-Support
2/22	Budget and Taxation	SB 557 Primary and Secondary Education - Breakfast and Lunch Programs - Universal Expansion	❖ Allyson Wade, UMCSOL-Support



2/22	Health and Government Operations	HB 454 Health Occupations - Licenses, Certificates, and Registrations - Lawful Presence and Identification Numbers	❖Jane Kirschling, UMSON-Support
2/23	Ways and Means	HB 668 Gaming - Problem Gambling Fund - Table Game Fees and Distribution of Sports Wagering Proceeds	❖Brian Roossien, Student, University of Maryland Carey School of Law (UMCSOL)-Support
2/23	Judicial Proceedings	SB 686 Civil Actions - Child Sexual Abuse - Definition, Damages, and Statute of Limitations (Child Victims Act of 2023)	❖Kathleen Hoke, UMCSOL-Support with Amendments
2/24	Finance	SB 815 Alcoholic Beverages - Retail Delivery - Alterations and Third-Party Delivery Service Permit	❖Kathleen Hoke, UMCSOL-Oppose
2/24	Finance	SB 795 Wicomico County - Alcoholic Beverages - Cigar Lounge License	❖Brooke Torton, University of Maryland Carey School of Law (UMCSOL)-Oppose
2/28	Economic Matters	HB 694 Labor and Employment – Workers’ Compensation - Licensed Certified Social Worker - Clinical	❖Judy Postmus, UMSSW-Support
2/28	Health and Government Operations	HB 626 Animal Testing and Research - Human-Relevant Research Funding and Animal Testing and Research Contributions	❖Gregory F. Ball, PhD, University of Maryland, Baltimore (UMB)-Support with Amendments
3/1	Budget and Taxation	SB 549 Economic Development - Build Our Future Grant Pilot Program and Fund (Innovation Economy Infrastructure Act of 2023)	❖Kevin Kelly, UMB-Support



3/1	Budget and Taxation	SB 756 Access to Counsel in Evictions - Funding	❖ Daniel Rosenberg, JD, University of Maryland Carey School of Law (UMCSOL)-Support ❖ Gavin Grossman, Student, University of Maryland Carey School of Law (UMCSOL)-Support
3/2	Judiciary	HB 1 Civil Actions - Child Sexual Abuse - Definition and Statute of Limitations (Child Victims Act of 2023)	❖ Kathleen Hoke, UMCSOL-Support with Amendments
3/2	Appropriations Health and Social Services Subcommittee	HB 200 Operating Budget - Maryland Technology Development Corporation	❖ Curt Civin, MD, University of Maryland School of Medicine (UMSOM)-Support
3/3	Finance	SB 644 Maternal Mortality Review Program - Local Teams - Access to Information and Records	❖ Hope Randolph, Student, University of Maryland Carey School of Law (UMCSOL)-Support
3/6	Health and Government Operations	HB 722 Physician Assistants - Parity with Other Health Care Practitioners (Physician Assistant Parity Act of 2023)	❖ Flavius R.W. Lilly, PhD, MA, MPH, University of Maryland Graduate School (UMGS)-Support
3/6	Health and Government Operations	HB 727 Physician Assistants - Revisions (Physician Assistant Modernization Act of 2023)	❖ Flavius Lilly, UMGS-Support
3/7	Health and Government Operations	HB 876 Maternal Mortality Review Program - Local Teams - Access to Information and Records	❖ Hope Randolph, UMCSOL-Support
3/7	Judicial Proceedings	SB 757 Baltimore City – Air Conditioning in Residential Rental Units	❖ Wes Schrum, Student, University of Maryland Carey School of Law (UMCSOL)-Support
3/7	Judicial Proceedings	SB 845 End-of-Life Option Act (The Honorable Elijah E. Cummings and the Honorable Shane E. Pendergrass Act)	❖ Todd Becker, MSW, PhD Student, University of Maryland School of Social Work (UMSSW)-Support



3/8	Budget and Taxation	SB 595 Gaming - Problem Gambling Fund - Table Game Fees and Distribution of Sports Wagering Proceeds	❖ Mary Drexler, MSW, University of Maryland School of Medicine (UMSOM)-Support ❖ Brian Roossien, UMCSOL-Support
3/8	Health and Government Operations	HB 1159 State Board of Dental Examiners - University of Maryland School of Dentistry Faculty - Qualifying for Examination	❖ Mark Reynolds, UMSOD-Support ❖ Charles Doring, UMSOD-Support ❖ Qoot Alkhubaizi, MSCR, University of Maryland School of Dentistry (UMSOD)-Support
3/8	Education, Energy and the Environment	SB 611 Office of the Attorney General - Environmental and Natural Resources Crimes Unit - Establishment	❖ Ashleigh Pagano, Student, UMCSOL-Support with Amendment
3/9	Budget and Taxation	SB 660 Office of the Comptroller - Taxpayer Advocate Division	❖ Beverly Winstead, UMCSOL-Support
3/9	Environment and Transportation	HB 874 Office of the Attorney General - Environmental and Natural Resources Crimes Unit - Establishment	❖ Ashleigh Pagano, UMCSOL-Support with Amendment
3/10	Environment and Transportation	HB 303 Baltimore City - Air Conditioning in Residential Rental Units	❖ Wes Schrum, UMCSOL-Support with Amendments
3/10	Environment and Transportation	HB 1179 University System of Maryland - Affiliated Foundations	❖ James Hughes, UMB-Support



3/10	Finance	SB 871 Social Workers - Sunset Extension, Notification of Complete Application, and Workgroup on Social Worker Examination Requirements for Licensure	❖Judy Postmus, UMSSW- Letter of Information ❖Wendy Shaia, MSW, EdD, University of Maryland School of Social Work (UMSSW)-Support ❖Temeka Bailey, LCSW-C, University of Maryland School of Social Work (UMSSW)-Support
3/10	Finance	SB 872 State Board of Social Work Examiners - Temporary License to Practice Social Work	❖Judy Postmus, UMSSW- Letter of Information ❖Wendy Shaia, UMSSW- Support ❖Temeka Bailey, UMSSW- Support
3/14	Appropriations	HB 1061 Janet L. Hoffman Loan Assistance Repayment Program - Private Company Employees with a Master’s Degree in Social Work - Eligible Employment	❖Judy Postmus, UMSSW- Support with Amendments
3/14	Budget and Taxation Capital Budget Subcommittee	SB 182 Capital Budget - University of Maryland, Baltimore	❖Bruce Jarrell, UMB-Support ❖Dawn Rhodes, UMB- Support
3/14	Judicial Proceedings	SB 568 Criminal Law - Threat Against State or Local Official - First Responder	❖Jane Kirschling, UMSON- Support
3/14	Finance	SB 673 Physician Assistants - Revisions (Physician Assistant Modernization Act of 2023)	❖Flavius Lilly, UMGS- Support
3/14	Finance	SB 669 Registered Nurse Degree Apprenticeship Program Workgroup	❖Jane Kirschling, UMSON- Support with Amendment
3/14	Finance	SB 674 Physician Assistants - Parity with Other Health Care Practitioners (Physician Assistant Parity Act of 2023)	❖Flavius Lilly, UMGS- Support



3/15	Appropriations Capital Budget Subcommittee	HB 201 Capital Budget - University of Maryland, Baltimore	❖ Bruce Jarrell, UMB-Support ❖ Dawn Rhodes, UMB- Support
3/15	Finance	SB 805 Maryland Medical Assistance Program and Health Insurance - Required Coverage for Biomarker Testing	❖ Ranee Mehra, MD, University of Maryland School of Medicine (UMSOM)-Support
3/21	Judicial Proceedings	SB 942 Health and Wellness Standards - Correctional Facilities	❖ Nicholas Spiller, UMCSOL- Support
3/30	Health and Government Operations	SB 145 State Board of Social Work Examiners - Conditional and Temporary Licenses to Practice Social Work	❖ Judy Postmus, UMSSW- Support
3/30	Health and Government Operations	SB 871 Social Workers - Sunset Extension, Notification of Complete Application, and Workgroup on Social Worker Examination Requirements for Licensure	❖ Judy Postmus, UMSSW- Support
4/4	Appropriations	SB 756 Access to Counsel in Evictions - Funding	❖ Daniel Rosenberg, UMCSOL-Support



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