

SENATE BILL 223

02

(PRE-FILED)

5lr0039
CF HB 158

By: **Chair, Finance Committee (By Request – Departmental – Aging)**

Requested: September 28, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Department of Aging – ~~Social Connections Program – Establishment~~ Senior**
3 **Call-Check and Social Connections Program**

4 FOR the purpose of renaming the Senior Call-Check Service and Notification Program to
5 be the Senior Call-Check and Social Connections Program; ~~repealing~~ altering
6 certain provisions of law related to the Senior Call-Check Service and Notification
7 Program; ~~establishing the Social Connections Program to provide certain~~
8 ~~communication to eligible older adults to promote wellness and purposeful social~~
9 ~~engagement~~; authorizing the integration of services between the Program and
10 Telecommunications Access of Maryland; ~~authorizing the Department of Aging and~~
11 ~~the Department of Disabilities to collaborate on developing the Program budget~~; and
12 generally relating to the Department of Aging and the Senior Call-Check and Social
13 Connections Program.

14 BY repealing and reenacting, with amendments,
15 Article – State Finance and Procurement
16 Section 3.5–701 and 3.5–702 to be under the amended subtitle “Subtitle 7. Senior
17 Call-Check and Social Connections Program”
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2024 Supplement)

20 ~~BY repealing and reenacting, with amendments,~~
21 ~~Article – Human Services~~
22 ~~Section 7–806(a)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



~~Annotated Code of Maryland~~
~~(2019 Replacement Volume and 2024 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article — Human Services~~
~~Section 7-806(b) and (c)~~
~~Annotated Code of Maryland~~
~~(2019 Replacement Volume and 2024 Supplement)~~

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

Article – State Finance and Procurement

Subtitle 7. ~~¶Senior Call–Check Service and Notification~~ AND SOCIAL CONNECTIONS
Program.

3.5–701.

(a) In this subtitle the following words have the meanings indicated.

(b) “Eligible participant” means a resident of the State who is ~~¶at least 65~~ 60
years old; ~~AN OLDER ADULT WHO:~~

~~(1) IS AT RISK OF SOCIAL ISOLATION; AND~~

~~(2) WOULD BENEFIT FROM ADDITIONAL PURPOSEFUL SOCIAL~~
~~ENGAGEMENT AND WELLNESS CHECKS.~~

(c) “Person of record” includes a local law enforcement unit or other local
government agency OR A DESIGNEE OF THE PARTICIPANT that chooses to participate in
the Program.

(d) “Program” means the ~~¶Senior Call–Check Service and Notification~~ AND
SOCIAL CONNECTIONS Program.

~~¶(e) (1) “Senior call-check service and notification~~ AND SOCIAL
CONNECTIONS” means ~~a telephone call made or received each day at a regularly scheduled~~
~~time by~~ REGULAR, DIRECT COMMUNICATION FROM the Department of Aging or the
Department of Aging’s designee to ~~the residence of an eligible participant to verify that the~~
~~participant is able to receive notifications and answer the telephone or place a call from the~~
~~telephone.~~

(2) “Senior call-check ~~service and notification~~ AND SOCIAL
CONNECTIONS” includes:

(i) an automated or live telephone call OR OTHER DIRECT COMMUNICATION ~~placed~~ INITIATED by an eligible participant or received by an eligible participant at a regularly scheduled time each day;

(ii) if the eligible participant does not answer or ~~place~~ INITIATE the regularly scheduled call OR OTHER DIRECT COMMUNICATION and the Secretary of Aging designs the Program to require this action, one or more automated or live telephone calls OR OTHER DIRECT COMMUNICATIONS to the eligible participant;

(iii) if the eligible participant does not answer a telephone call OR OTHER DIRECT COMMUNICATION made under item (ii) of this paragraph, an additional automated or live telephone call OR OTHER DIRECT COMMUNICATION to notify a person of record whose name has been provided to the Department of Aging; and

(iv) a notification to the eligible participant regarding information that the Secretary of Aging has determined to be relevant.‡

~~(E)~~ (F) “REGULAR, DIRECT COMMUNICATION” MEANS REGULAR INTERACTIONS INITIATED OR RECEIVED BY THE DEPARTMENT OF AGING OR THE DEPARTMENT’S DESIGNEE THAT:

(1) MAY INCLUDE TELEPHONE CALLS, TEXT MESSAGES, ~~AND~~ WEB-BASED, VIRTUAL, VIDEO, OR IN-PERSON COMMUNICATIONS, AND OTHER FORMS OF COMMUNICATION APPROVED BY THE DEPARTMENT; AND

(2) ARE ACCESSIBLE TO ELIGIBLE PARTICIPANTS WITH DISABILITIES.

~~(F)~~ (G) “VILLAGE” MEANS LOCAL, VOLUNTEER-LED ORGANIZATIONS THAT AIM TO SUPPORT COMMUNITY MEMBERS WHO CHOOSE TO AGE IN PLACE, INCLUDING BY:

(1) ORGANIZING EVENTS; AND

(2) FOSTERING SOCIAL CONNECTIONS THROUGH ACTIVITIES AND COORDINATING VOLUNTEER HELP AT HOME USING THE NEIGHBOR-HELPING-NEIGHBOR MODEL.

3.5-702.

‡(a) The Department of Aging shall:

(1) establish and administer the Program to provide senior call-check ~~service and notification~~ AND SOCIAL CONNECTIONS to eligible participants; and

(2) adopt regulations necessary to implement the Program.‡

1 ~~(A) THERE IS A SOCIAL CONNECTIONS PROGRAM.~~

2 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE REGULAR, DIRECT
3 COMMUNICATION FROM THE DEPARTMENT OF AGING OR THE DEPARTMENT'S
4 DESIGNEE TO AN ELIGIBLE PARTICIPANT TO PROMOTE WELLNESS AND
5 PURPOSEFUL SOCIAL ENGAGEMENT.

6 ~~(C) THE DEPARTMENT OF AGING SHALL ESTABLISH AND ADMINISTER THE~~
7 ~~PROGRAM.~~

8 ~~(D) THE PROGRAM INCLUDES:~~

9 ~~(1) AN AUTOMATED OR LIVE TELEPHONE CALL PLACED BY AN~~
10 ~~ELIGIBLE PARTICIPANT OR RECEIVED BY AN ELIGIBLE PARTICIPANT OR ANOTHER~~
11 ~~REGULAR, DIRECT COMMUNICATION TO AN ELIGIBLE PARTICIPANT;~~

12 ~~(2) IF THE ELIGIBLE PARTICIPANT DOES NOT RESPOND DIRECTLY TO~~
13 ~~THE REGULAR, DIRECT COMMUNICATION, A FOLLOW UP DIRECT COMMUNICATION~~
14 ~~TO THE ELIGIBLE PARTICIPANT AND NOTIFICATION TO A PERSON OF RECORD~~
15 ~~WHOSE NAME HAS BEEN PROVIDED TO THE DEPARTMENT OF AGING; AND~~

16 ~~(3) A NOTIFICATION TO THE ELIGIBLE PARTICIPANT REGARDING~~
17 ~~INFORMATION THAT THE DEPARTMENT OF AGING HAS DETERMINED TO BE~~
18 ~~RELEVANT.~~

19 ~~(E)~~ (C) THE DEPARTMENT OF AGING SHALL INTEGRATE SERVICES WITH
20 THE TELECOMMUNICATIONS ACCESS OF MARYLAND PROGRAM ESTABLISHED
21 UNDER § 7-902 OF THE HUMAN SERVICES ARTICLE BY PROMOTING AWARENESS OF
22 THE AVAILABILITY OF ACCESSIBLE TELECOMMUNICATIONS EQUIPMENT AND USING
23 EDUCATIONAL OUTREACH MATERIALS PRODUCED BY THE TELECOMMUNICATIONS
24 ACCESS OF MARYLAND PROGRAM.

25 [(b)] ~~(F)~~ (D) (1) The Department of Aging may [contract] ENTER INTO
26 AGREEMENTS OR CONTRACTS AS APPROPRIATE with a private vendor [or], A nonprofit
27 organization, A VILLAGE INCORPORATED IN AND SERVING OLDER ADULTS IN THE
28 STATE, AN AREA AGENCY ON AGING, OR ANY OTHER PERSON to provide [the senior
29 call-check service and notification required under subsection (a) of this section] PROGRAM
30 SERVICES.

31 (2) THE DEPARTMENT OF AGING MAY ENTER INTO INTERAGENCY
32 AGREEMENTS WITH OTHER STATE OR LOCAL GOVERNMENTAL ENTITIES TO
33 PROVIDE PROGRAM SERVICES.

(3) THE DEPARTMENT OF AGING MAY ACCEPT FUNDS PROVIDED BY OTHER PUBLIC AND PRIVATE SOURCES, INCLUDING GIFTS AND GRANTS TO BE USED TO PROVIDE PROGRAM SERVICES.

~~[(c)]~~ ~~(E)~~ (1) The State Tort Claims Act and the Local Government Tort Claims Act, as appropriate, apply to a State or local unit and to an employee or agent of a State or local unit that participates in the Program for services the unit or person provides under the Program in accordance with regulations of the Department of Aging.

(2) A person of record [and], A PRIVATE VENDOR, A NONPROFIT ORGANIZATION, A VILLAGE INCORPORATED IN AND SERVING OLDER ADULTS IN THE STATE, AN AREA AGENCY ON AGING, ANY OTHER ENTITY UNDER AN AGREEMENT OR CONTRACT WITH THE DEPARTMENT, OR a volunteer may not be liable for reasonable acts or omissions directly arising from services [the person provides] PROVIDED under the Program in accordance with regulations of the Department of Aging.

~~(H) THE DEPARTMENT OF AGING MAY ADOPT REGULATIONS THAT INCLUDE POLICY GUIDANCE AND PROGRAM STANDARDS AS NECESSARY TO IMPLEMENT THE PROGRAM.~~

~~Article Human Services~~

~~7-806.~~

~~(a) (1) Subject to paragraph (2) of this subsection, the programs under § 7-804(a) of this subtitle, § 7-902(a) of this title, and § 3.5-702 of the State Finance and Procurement Article shall be funded as provided in the State budget.~~

~~(2) For fiscal year 2019 and each fiscal year thereafter, the program under § 3.5-702 of the State Finance and Procurement Article shall be funded at an amount that:~~

~~(i) is equal to the cost that the Department of Aging is expected to incur for the upcoming fiscal year to provide the service and administer the program; [and]~~

~~(ii) does not exceed 5 cents per month for each account out of the surcharge amount authorized under subsection (c) of this section; AND~~

~~(H) IS BASED ON A BUDGET DEVELOPED BY THE DEPARTMENT OF AGING IN COLLABORATION WITH THE DEPARTMENT OF DISABILITIES AND IN CONSIDERATION OF THE FISCAL NEEDS OF THE PROGRAMS FUNDED THROUGH THE SURCHARGES PAID UNDER SUBSECTION (C) OF THIS SECTION.~~

~~(b) (1) There is a Universal Service Trust Fund created for the purpose of paying the costs of maintaining and operating the programs under:~~

~~(i) § 7-804(a) of this subtitle, subject to the limitations and controls provided in this subtitle;~~

~~(ii) § 7-902(a) of this title, subject to the limitations and controls provided in Subtitle 9 of this title; and~~

~~(iii) § 3.5-702 of the State Finance and Procurement Article, subject to the limitations and controls provided in Title 3.5, Subtitle 7 of the State Finance and Procurement Article.~~

~~(2) Money in the Universal Service Trust Fund shall be held in the State Treasury.~~

~~(3) Money in the Universal Service Trust Fund may only be used:~~

~~(i) to fund the costs of the programs specified in paragraph (1) of this subsection; and~~

~~(ii) to pay for the administration of the Universal Service Trust Fund.~~

~~(e) (1) The costs of the programs under § 7-804(a) of this subtitle, § 7-902(a) of this title, and § 3.5-702 of the State Finance and Procurement Article shall be funded by revenues generated by:~~

~~(i) a surcharge to be paid by the subscribers to a communications service; and~~

~~(ii) other funds as provided in the State budget.~~

~~(2) (i) The surcharge may not exceed 18 cents per month for each account and shall be applied to all current bills rendered for a communications service in the State.~~

~~(ii) The surcharge is payable at the time the bills for a communications service are due.~~

~~(3) The surcharge to be collected under this section applies only to a communications service for which charges are billed by, or on behalf of, a communications company to a subscriber of the communications service.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any estate of a decedent who died before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.