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

The budget ultimately enacted by the General Assembly was very different from the budget proposed by the governor because federal stimulus legislation passed in December 2020 and March 2021 provided substantial resources to the state that were not included in the initial budget, and the general fund estimate was revised upward in March 2021 by almost $900 million over Fiscal Years (FY) 2021 and 2022. Gov. Larry Hogan and the General Assembly responded to the improved outlook by adding $5.4 billion of federal funds and more than $840 million of general funds to the budget. The additional spending allowed the state to respond to the pandemic, expand capital spending through the use of pay-as-you-go (PAYGO), and invest in key legislative priorities including broadband accessibility, employment training and apprenticeships, state employees, and healthy schools.

The FY 2022 budget approved by the General Assembly eliminates the structural deficit and preserves about $2.1 billion of general funds for the future. This includes an estimated cash balance of $679 million and a Rainy Day Fund balance of $1.4 billion (equivalent to 6.8 percent of general fund revenues). Enhancements are provided to help households, schools, and businesses weather the COVID-19 pandemic, increase provider rates, expand access to broadband, and increase employee compensation. The availability of $6.5 billion in additional federal aid not yet appropriated in the budget may further enhance the state’s ability to preserve its own resources for future needs.

Current unrestricted and current restricted funding for higher education in the FY 2022 budget totals $4.8 billion. This reflects a net decrease of $98.9 million compared to the FY 2021 working appropriation, largely the result of a decrease in recognized federal COVID-19 assistance received directly by the institutions. Additional stimulus funds available for FY 2022 are anticipated to be recognized by budget amendment during the fiscal year and may negate this reduction in funding. General fund support for higher education increases by $19.7 million, or 1.3 percent, over FY 2021, and the budget assumes in-state tuition rates will rise by 2 percent.
With respect to personnel, the size of the regular state workforce decreases by 440 positions to 80,084 regular positions in FY 2022. All state employees received a 2.0 percent general salary increase effective Jan. 1, 2021. In addition, the budget provided $100 million in funding for response pay for front-line workers across FY 2021 and 2022 and $74 million for a $1,000 bonus for all state employees in April 2021. Law enforcement union members are provided with a 4 percent salary and merit increase. The judiciary’s budget provides for a 3.5 percent merit increase. There is no funding for merit salary increases for most state employees, although there are agreements and other provisions for raises in FY 2022 and 2023 that are conditional on meeting various revenue targets.

**a. Higher Education Budget Overview**

State support for higher education in the FY 2022 budget totals $2.3 billion, an increase of $107.1 million, or 4.9 percent, over FY 2021. Public four-year institutions and community colleges receive the bulk of the new state funds, totaling $76.9 million, which includes new general funds and Higher Education Investment Funds.

Morgan State University (MSU) receives an increase of $5.6 million, or 5.2 percent, over FY 2021. St. Mary’s College of Maryland (SMCM) receives an increase of about $3.3 million, or 11.9 percent, in state support over FY 2021. This increase is the result of an increase of $2.9 million related to the funding formula and $0.4 million for operational expenses related to COVID-19.

Independent institutions receive $88.8 million through the Joseph A. Sellinger formula in FY 2022, an increase of $29.8 million, or 50.5 percent, from FY 2021. The significant increase in FY 2022 reflects the July 2020 Board of Public Works (BPW) cost containment action that level-funded FY 2021 at the FY 2020 level.

State funding for local community colleges increases by $30.7 million, or 9.0 percent, over FY 2021. Funding under the Senator John A. Cade Funding formula grows by $40.2 million while funding for community college retirement programs increases by $476,000. The large growth in FY 2022 reflects the July 2020 BPW cost containment action that level-funded the Cade formula funding in FY 2021 at the FY 2020 level. This is offset by $10 million provided in Senate Bill 496 (Ch. 39) (RELIEF Act) to community colleges for job skills training expenditures in FY 2021.

Baltimore City Community College (BCCC), Maryland’s only state-administered community college, has a separate statutory funding formula. In FY 2021, due to an ongoing decline in student enrollment, BCCC’s hold harmless clause maintained direct state support at the FY 2020 statutory level of $39.5 million. BPW further reduced this amount by $3.2 million in July 2020 as a cost containment measure. In FY 2022, BCCC returned to the hold harmless level of $39.5 million as its funding formula, based on enrollment, was less than the previous hold harmless total.
b. **USM Operating Budget**

The University System of Maryland (USM) receives an increase of $34.4 million, or 2.4 percent, over FY 2021, which includes $38.0 million for the annualization of the FY 2021 general salary increase. Also included is a $2.4 million increase mandated by Chapter 765 of 2019, which includes $2.0 million for the MPowering Joint Steering Council, a strategic partnership between the University of Maryland, Baltimore campus (UMB) and the University of Maryland, College Park campus (UMCP); and $400,000 to the University of Maryland, Baltimore County (UMBC) to further its economic development and research activities. Additionally, $23.5 million is provided to fund various health professions and public health programs at USM institutions.

The budget assumes a 2.0 percent increase in resident undergraduate tuition at the public four-year institutions; however, this is contingent upon approval of the governing boards.

c. **UMB Operating Budget**

The FY 2022 legislative allowance for UMB includes $222.5 million in general funds and $13.4 million in Higher Education Investment Funds. Base funding includes $4 million for the Center for Maryland Advanced Ventures per 2016’s University of Maryland Strategic Partnership legislation, as well as half of $2 million in additional funding to the MPower Joint Steering Council. The allowance also includes tuition and fee income of about $170.2 million — an increase of $5.3 million over last year. These funds will help support increases to facilities renewal, debt service, student aid, and other needs.

d. **Direct UMB Initiatives of Interest**

- **$12.4 million for Cigarette Restitution Fund research** for the University of Maryland Marlene and Stewart Greenebaum Comprehensive Cancer Center.

- **Maintains $4 million for the Center for Maryland Advanced Ventures** (SB 1052). The budget increases funding for the University of Maryland Center for Economic and Entrepreneurship Development (UMCEED). Funds **$2 million** in additional funding to the MPower Steering Council.
  
  o Beginning in FY 2023, legislation passed that mandates appropriations by $2.5 million each for the Center for Maryland Advanced Ventures at the University of Maryland and the University of Maryland Center for Economic and Entrepreneurship Development.
• $117,799 additional grant funding for the Center for Infant & Child Loss in the University of Maryland School of Medicine’s (UMSOM) Department of Pediatrics (This funding is “fenced off” in the budget, and it will be ultimately up to the governor to release this funding for FY22).

e. Other Operating Funding Items of Interest to UMB

• $1 million for the Loan Assistance Repayment Program (LARP) as mandated by 2020 legislation (SB 501). UMB has been advocating for increased funding for LARP so more applicants can receive funding and the program can return to a higher level of funding to match federal dollars. State funding for LARP had decreased to $390,000 for FY 2020. We were successful in raising the level to $800,000 for FY 2021 and $1 million for FY 2022.

• $4.8 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 University of Maryland, Baltimore County) on commercialization proposals, strategies, and funding sources, including with federal laboratories located in Maryland; and facilitate technology transfer from university labs to startup companies.

• $12.5 million for the E-Nnovation Initiative: Provides matching funds to nonprofit institutions of higher education for the creation of research endowments. Funds must be spent to advance basic and applied research in scientific and technical fields of study. Funding this year was provided via a supplemental budget from the governor.

• $8.2 million for Maryland Stem Cell Research Fund: Provides funding through TEDCO to support stem cell research and development grants for Maryland’s research universities and private sector research corporations. This final amount includes the reinstatement of $1 million that was originally cut in the governor’s budget.

• Maintained $1.1 million in funding for the Graduate and Professional Scholarship Program to provide financial assistance to full-time and part-time students in the fields of medicine, dentistry, law, pharmacy, nursing, social work, and veterinary medicine.

• Maintained $1.2 million in funding for Workforce Shortage Student Assistance Grants to aid students studying in the following workforce shortage fields: (1) 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).

- **$18.3 million in funding for the Nurse Support Program II** (reflects an increase of
$703,584 from FY 2021) to fund initiatives to expand the number of bedside nurses
in the state.

f. **UMB Capital Funding**

- **$11.3 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 $81.226 million.

- **$3.797 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 $3.532 million last year.

- **$2.5 million for a new School of Social Work building:** To begin design of a building
for a new School of Social Work. Additionally, the bill included a FY 2023
preauthorization of $2.5 million for continued planning and design and a FY 2024
preauthorization of $50 million for construction.

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

- **$12 million for the Comprehensive Cancer and Organ Transplant Treatment
Center:** This action eliminates general obligation bond funding for the Comprehensive
Cancer and Organ Transplant Treatment Center project. Supplemental Budget No. 5 fully
restored the governor’s original funding level using general funds and a separate action
added language to the general fund appropriation expressing the intent that the state’s
contribution to this project total $175 million.

- **$2.5 million for R Adams Cowley Shock Trauma Center Renovation, Phase III:** 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.

- **$3 million for the Hippodrome Foundation, Inc.:** A $3 million grant to the board of directors of the Hippodrome Foundation, Inc., for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the France-Merrick Performing Arts Center, located in Baltimore City.

- **$2 million for Lexington Market:** A $2 million grant to the board of directors of Lexington Market, Inc., for the acquisition, planning, design, construction, repair, renovation, and capital equipping of Lexington Market.

**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:

**Cost Containment Actions Related to Public Higher Education Institutions:** The committees are concerned about the impact of FY 2021 cost containment actions approved by the Board of Public Works (BPW) on public higher education institutions’ base operating budgets, reducing available funding in FY 2021 and beyond. Given the recent passage of a number of federal relief bills, some of which allocate funding to states to address major revenue losses at institutions of higher education as well as allocating funding directly to institutions of higher education, the Department of Budget and Management (DBM) should provide a report to the committees detailing all federal funding received by the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, assessing whether that funding restores previous BPW reductions, and discussing any plans for restoring state support for public higher education institutions starting in FY 2023 to levels reflecting the institutions’ base budgets prior to the BPW reductions.

**Report on Remote Work at Maryland State Agencies:** The COVID-19 pandemic has forced many state agencies to have their employees work remotely. The Department of Budget and Management advises that the number of Executive Branch employees working remotely increased from 266 (0.8 percent of the workforce) in January 2020 to 15,449 employees (46.3 percent of the workforce) in January 2021. While many employees will be returning to the office after the pandemic is over, it is likely that the experience of working remotely for over a year has given many organizations the confidence and ability to increase the share of their workforce that
works remotely. At this time, too little is known about the lasting effects of remote work during the pandemic. The Department of General Services (DGS) is responsible for providing office space for state agencies. The department should begin evaluating how state agency office space needs will be affected by the pandemic. DGS should report to the budget committees on state office space needs and how these needs have changed. The report should include: (1) surveys of state agency needs; (2) an examination of different kinds of office space needs for different agencies; (3) estimates of the number and share of state employees who will be working remotely, working both remotely and in the office, and working solely in the office; (4) strategies for reducing office space needs; and (5) the costs and benefits associated with reducing office space if the need for office space is less after the pandemic than before the pandemic. The cost-benefit analysis should be over a five-year period to capture savings against the costs such as prematurely breaking leases.

Board of Nursing – Workload and Staffing Adequacy: The budget committees are concerned with staffing levels at the Board of Nursing and its ability to meet workload demands. This is of particular concern given the additional burdens placed on the board during the COVID-19 pandemic and its role moving forward in expanding the nursing workforce. The budget committees request that the Board of Nursing submit a report on the adequacy of current staffing levels given current workloads; a discussion of the board’s role in COVID-19 recovery in the state and further staffing needs that may arise in fulfilling this duty; and, if staffing shortages are identified, a discussion of opportunities to address these shortages.

Public Health Personnel Recruitment and Retention: The vacancy rate among public health personnel in the Maryland Department of Health (MDH) Public Health Administration (PHA) improved from 12.6 percent as of December 2019 to 9.1 percent as of December 2020. However, this includes consistent vacancies in assistant medical examiner (ME) positions and, beginning in FY 2020, the chief ME position. Additionally, the COVID-19 pandemic has emphasized the state’s public health personnel deficiencies as the statewide response required significant support from state employees diverted from other programs and volunteers.

The budget committees are concerned that vacancy rates remain high in PHA and MDH Prevention and Health Promotion Administration (PHPA), which reported in December 2020 a vacancy rate of 12.1 percent. The committees request that the department, in consultation with Local Health Departments (LHD), submit a report by Jan. 15, 2022, providing:

- An analysis of the causes of public health staffing shortages in PHA, PHPA, and LHDs
- An update on MDH’s efforts to hire assistant MEs and a chief ME
- LHD vacancy rates as of December 2019 and December 2020
- An evaluation of how the state’s COVID-19 pandemic response activities in PHA and PHPA impacted recruitment and retention of regular personnel
- A discussion of salary enhancements, programs, and any other strategies the department is implementing to recruit and retain public health staff
• A discussion of any partnerships or programs with higher education institutions to recruit students and recent graduates to work for the department

**M00F03.01 Infectious Disease and Environmental Health Services**

Add the following language to the general fund appropriation:

, provided that $117,799 of this appropriation made for the purpose of administration may not be expended for that purpose but instead may be used only to provide additional grant funding for the Center for Infant & Child Loss under the University of Maryland, Baltimore Campus Department of Pediatrics. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

Explanation: This language restricts administrative funding to restore the grant to the Center for Infant & Child Loss under the University of Maryland, Baltimore Campus Department of Pediatrics to the prior funding level of $137,799.

**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. By focusing on these faculty, the committees gain a sense of the teaching activities for the regular core faculty. However, there are other types of instructional faculty at institutions, such as full- and part-time nontenured/nontenure-track faculty, including adjunct faculty, instructors, and lecturers. Focusing on only tenured/tenure-track faculty provides an incomplete picture of how students are taught. Therefore, the report should also include the instructional workload when all types of faculty are considered. Additional information may be included at the institution’s discretion. Furthermore, the USM report should include the percentage of faculty meeting or exceeding teaching standards for tenured/tenure-track faculty for the University of Maryland, Baltimore Campus.

**Report on Standardized Tests and Alternatives:** The budget committees are concerned about racial bias in standardized tests and request that the University System of Maryland Office (USM) and St. Mary’s College of Maryland (SMCM) submit a report on how the institutions account for the racial bias in standardized tests used to determine admissions and alternatives to these tests.

**Student Housing Leases:** The committees are concerned about students and families still seeking resolution from the cancellation of leases at student housing owned by the Maryland Economic Development Corporation (MEDCO) at University System of Maryland (USM) institutions due to the pandemic. The committees request that MEDCO, in collaboration with USM, submit a report on the number of students and families who have sought relief, the number with issues still outstanding, and the reasons for any remaining outstanding issues.
Interagency Agreements: SECTION 26. AND BE IT FURTHER ENACTED, That on or before August 1, 2021, 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 2020 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 Dec. 1, 2021, 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 2021.

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 2022 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 2022 without prior approval of the secretary of Budget and Management.

Verification of Universities at Shady Grove Budget Code

SECTION 42. AND BE IT FURTHER ENACTED, That $100,000 of the appropriation made for administration in the Department of Budget and Management (DBM) Office of the Secretary Executive Direction F10A01.01 and $100,000 of the general fund appropriation made for administration in the University System of Maryland Office R75T00.01 may not be expended until DBM submits a report verifying the creation of a separate budget code for the Universities at Shady Grove. The report shall be submitted prior to the expenditure of the funds, and the budget committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending receipt of this report may not be transferred by budget amendment or otherwise to any other purpose and shall revert back to the General Fund if the report is not received.

Explanation: The language restricts $100,000 each in the budgets of DBM and the University System of Maryland Office until DBM submits a report verifying that a separate budget code has been created for the Universities at Shady Grove (USG).

Report on Pathways to Technology Early College High School (P-TECH) Program Enrollment and Costs: The budget committees are concerned that since the inception of the P-TECH program, predicting costs for this program have proved to be very difficult. To help in continuing to evaluate this program, the budget committees direct the Maryland State Department of Education (MSDE) to report on P-TECH by Aug. 1, 2021, including the following program information:

- Current enrollment in all P-TECH programs by high school, community college, cohort, and entry year
- Projected enrollment in all P-TECH programs in school year 2021-2022 and 2022-2023;
- 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 percentage completion rate;
- Actual cost per student per program in FY 2020 and 2021;
- Projected costs per student per program in FY 2022 and 2023, including supplemental school and college grants by institution and local school system
R13M00.00 Morgan State University
Add the following language to the unrestricted fund appropriation:

, provided that $3,000,000 of this appropriation made for the purpose of launching the Center for Urban Health Equity may not be expended until Morgan State University submits a report to the budget committees documenting the strategic goals of the Center and how additional funding streams will be leveraged to fund the Center. The report shall be submitted by July 1, 2021, and the committees shall have 45 days from the date of receipt of the report to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled if the report is not submitted.

Explanation: The FY 2022 budget provides $3 million specifically designated for the creation of the Center for Urban Health Equity. This language withholds the expenditure of these funds until Morgan State University submits a report documenting the goals of, and funding streams for, the center.

R30B23.00 Bowie State University
Add the following language to the unrestricted fund appropriation:

, provided that $500,000 of this appropriation for Bowie State University (BSU) may be expended only for the purpose of the BSU Center for Law, Social Justice, and Civic Engagement. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: The language restricts $500,000 of the FY 2022 unrestricted fund appropriation for Bowie State University (BSU) for the BSU Center for Law, Social Justice, and Civic Engagement.

Status of Implementing Universities at Shady Grove Financial Viability Report
Recommendations: In 2019, concerns about the financial sustainability and continuing enrollment decline at the Universities at Shady Grove (USG) prompted the budget committees to ask the University System of Maryland Office (USMO) to submit a plan to ensure the fiscal viability of USG. USMO submitted a report that contained 33 recommendations that focused on leadership; governance; USG’s funding model; expansion of USG’s mission; and the transportation needs of USG students, faculty, and staff. Of the 33 recommendations, two have been completed, significant progress has been made on 24, and seven have yet to be initiated. The committees request USMO to submit quarterly reports on the status of implementing the recommendations.

Report on Contracting Services: The budget committees request the University System of Maryland Office (USMO) to submit a report on the process for contracting out services and how the process and any subsequent changes to it are communicated to the appropriate bargaining units.
The Collegium: The committees request that the Maryland Higher Education Commission (MHEC) work with The Collegium, a small independent college located in Hagerstown, in obtaining approval to operate as a degree-granting institution in the state. MHEC should work directly with the president and the board to assist in any challenges that may arise as they seek approval. Furthermore, the budget committees request MHEC to submit a report on the status of the approval of The Collegium as a degree-granting institution.

Report on Workforce Shortage Student Assistance Grants: The budget committees request that the Maryland Higher Education Commission (MHEC) provide a report on the Workforce Shortage Student Assistance Grant program. The report should include information on the characteristics of the individuals who apply for the grant; the grant funding provided in each of the respective workforce shortage fields: (1) schoolteachers; (2) social workers; (3) nurses; (4) child care providers; (5) developmental disability, mental health, child welfare, and juvenile justice; (6) physical and occupational therapists and assistants; and (7) public servants; the total number of awardees by respective workforce shortage field; how the grants are allocated; how the areas where shortages exist are determined; the average award by workforce area; and waitlist total (if any) by workforce area. The report should be submitted by Dec. 1, 2021.

Impact of Daubert v. Merrell Dow Pharmaceuticals Report: The budget committees are evaluating the potential impact that will be incurred by African American people, people of color, or people of limited financial means if the standard for admissibility of expert opinion testimony stated in Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993) were to be adopted. The budget committees request that the judiciary enlist a professor of law holding an endowed position at a law school located in the state of Maryland or the District of Columbia specializing in health law and policy and empirical studies of the civil justice system to conduct an independent study of the issue. The report shall be submitted by the judiciary no later than Dec. 1, 2021.

II. Key Bills of 2021

This section of the 2021 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 2021 Legislative Session Report prepared by our colleagues at the Office of Government Relations of the University System of Maryland.

a. Economic Development and Administration

Historically Black Colleges and Universities — Funding (HB 1/SB 1)
UMB Position: Monitor
Final Status: Passed
This emergency bill, contingent on final settlement of The Coalition for Equity and Excellence in Maryland Higher Education, et al. v. Maryland Higher Education Commission, et al. lawsuit by June 1, 2021, provides an additional $577.0 million (in total) for Maryland’s historically black colleges and universities (HBCUs) from FY 2023 through FY 2032 to be distributed and used as specified. An HBCU Reserve Fund is created to hold unused funds at the end of each fiscal year. A new academic program evaluation unit is established in the Maryland Higher Education Commission (MHEC) with a specified mandated staffing level. In addition, the bill has several study and reporting provisions that are not contingent on final settlement of the lawsuit.

State and Local Government and Public Institutions of Higher Education — Teleworking (HB 73)
UMB Position: Monitor
Final Status: Passed

This bill requires a governing body’s designee to establish telework programs and adopt a certain telework policy and telework guidelines — requiring the State Court Administrator and the President of the Senate and Speaker of the House to establish a telework program, policy, and guidelines. The governor must include $1 million annually within the Department of Commerce to establish the Office of Telework Assistance and the Business Telework Assistance Grant Program. The bill takes effect July 1, 2021.

Student and Military Voter Empowerment Act (HB 156/SB 283)
UMB Position: Monitor
Final Status: Passed

This bill establishes various requirements relating primarily to voter registration and voting by military and overseas voters and students at institutions of higher education in the state, including a process for a military or overseas voter to submit a federal postcard application electronically; designation of a student voting coordinator and development and implementation of a student voting plan at each public institution of higher education; expansion of the placement of links to the State Board of Elections’ (SBE) online voter registration system on online portals used by higher education students to register for coursework; and a specified SBE webpage relating to registration and voting by students enrolled in institutions of higher education. The bill also requires that local boards of elections obtain input from large residential institutional communities when establishing precinct boundaries and designating polling places. The bill takes effect June 1, 2021.

Public Information Act — Revisions (Equitable Access to Records Act) (HB 183/SB 449)
USM Position: Oppose
Final Status: Passed

This bill expands the jurisdiction of the Public Information Act Compliance Board (PIACB) to include additional types of Public Information Act (PIA) disputes; institutes an integrated PIA
complaint resolution process that includes the Public Access Ombudsman; and requires a custodian to adopt a specified proactive disclosure policy. The bill may not be applied or interpreted to have any effect on or application to any exceptions to disclosure requirements under PIA. The bill takes effect July 1, 2022.

Higher Education — Tuition Exemption for Foster Care Recipients and Homeless Youth - Alterations and Reports (HB 216/SB 155)
UMB Position: Monitor
Final Status: Passed

This bill expands the definition of “homeless youth” who are eligible to receive a tuition waiver at a public institution of higher education by removing the requirements that the youth be “unaccompanied” and qualify as an independent student under federal law. The bill also alters the method by which an individual is determined to be a homeless youth for the purpose of a tuition waiver and repeals the requirement that only a financial aid administrator can verify the status. In addition, a foster care recipient or homeless youth who receives a tuition waiver must receive priority consideration for on-campus housing. Each public institution of higher education must make the application for the tuition waiver available to current and prospective students and notify students about the application. Each public institution must establish an appeals process for the tuition waiver, as specified. Finally, each public institution must designate a homeless and foster student liaison with specified expertise to assist specified students with applying for financial aid. The legislation uses the McKinney-Vento Homeless Assistance Act definition of homelessness, a definition that was created for students under the age of 21 in the K-12 public education system. The bill takes effect July 1, 2021.

Income Tax Distribution — Tax Clinics for Low-Income Marylanders (HB 421/SB 480)
UMB Position: Support
Final Status: Passed

This bill establishes a special fund and related processes to provide supplemental grant funding for the University of Maryland Francis King Carey School of Law, the University of Baltimore School of Law, and the Maryland Volunteer Lawyers Service (MVLS) to operate tax clinics for low-income Maryland residents. Beginning in FY 2022, the comptroller shall distribute $250,000 from certain abandoned property funds to the Tax Clinics for Low-Income Marylanders Fund. Funds will be divided equally among the three receiving entities for FY 2022 and 2023. The governor is authorized to continue funding the program in FY 2024 and thereafter. The bill takes effect July 1, 2021.

“Providing low-income Maryland taxpayers with representation benefits both the people and the state. The premise behind the funding of the federal Low-Income Taxpayer Clinics by the IRS is that ensuring representation for taxpayers provides for a more just and equitable tax system. It also improves tax administration and efficiency because it is far easier for the taxing authority to deal with represented parties than to try to obtain information and litigate against
parties attempting to defend their rights pro se. Our expectation is the tax clinic would improve outcomes for taxpayers and create administrative efficiencies for the comptroller’s office.”

Written and Oral Testimony in Support
By Donald B. Tobin, JD, Dean, University of Maryland Francis King Carey School of Law

Maryland Health Equity Resource Act (HB 463/SB 172)
UMB Position: Support
Final Status: Passed

This emergency bill establishes a process for designation of Health Equity Resource Communities (HERCs) to target state resources to specific areas of the state to reduce health disparities, improve health outcomes and access to primary care, promote prevention services, and reduce health care costs and hospital admissions and readmissions. A HERC Advisory Committee and HERC Reserve Fund are established; incentives are authorized for health care practitioners or community health workers (CHWs) that practice in a HERC. For FY 2023 through FY 2025, the governor must transfer $15 million from the Maryland Health Benefit Exchange (MHBE) Fund to the HERC Reserve Fund as an appropriation in the state budget. The Maryland Community Health Resources Commission (MCHRC) must establish a Pathways to Health Equity Program to provide the foundation and guidance for a permanent HERC program and provide grant funding to specified entities. The bill also establishes a Pathways to Health Equity Fund that is capitalized with up to $14 million in FY 2021. Provisions regarding the Pathways to Health Equity Program and Fund terminate June 30, 2023.

“In 2012, the Maryland Health Improvement and Disparities Reduction Act of 2012 established Health Enterprise Zones [HEZs] to target state resources to reduce health disparities, improve health outcomes, and reduce health costs and hospital admissions and readmissions in designated areas of the state. This four-year initiative proved to be a viable way to reduce inpatient admissions and reduce health care costs in communities across the state by providing support to coalitions of health departments, other local government agencies, health care providers, and community-based social services organizations to address health care needs in designated underserved communities.

“Based on the successful outcomes of establishing HEZs and with the COVID-19 pandemic once again highlighting health disparities across our state, we strongly support HB 463, which seeks to extend and expand the goal of HEZs by establishing Health Equity Resource Communities. In addition to the recent reminder of glaring health disparities COVID-19 continues to reveal, people with chronic conditions such as hypertension, heart disease, asthma, diabetes, and substance and mental health disorders continue to have worse health outcomes and are less able to get the care and treatment they need. These disparities are grounded in multiple, vexing issues which require sustained attention and which can be addressed by the goals and concomitant work plans contemplated by this bill.”

Written Testimony in Support
By Bruce E. Jarrell, MD, FACS, President, University of Maryland, Baltimore

State Employees — Collective Bargaining — Applicability, Bargaining Processes, and Memorandums of Understanding (HB 486/SB 9)
UMB Position: Oppose
Final Status: Passed

This bill requires the chancellor of the University System of Maryland (USM) to act on behalf of USM and its constituent institutions, rather than the institutions’ presidents under current law, for the purposes of collective bargaining. An exclusive representative that represents more than one bargaining unit of USM employees may request to bargain a consolidated memorandum of understanding (MOU), as specified. Further, the bill makes changes to the collective bargaining process for state employees and employees of public four-year institutions and Baltimore City Community College (BCCC) by changing the entities that determine which employees are eligible for collective bargaining and specifying that good-faith requirements include facilitating the meaningful use of a fact finder. The bill takes effect June 1, 2021.

“These individuals are our employees and we care deeply about them. In August 2018, I conducted focus groups with our custodians. I conducted focus groups with 60 percent of the facilities and operations staff. As a result of the conversations with our custodians, UMB raised the minimum hourly rate to $12.91 from $12.06. The increase was made retroactive to July. 154 AFSCME employees received more money in their pockets because we listened to what they said to us. Under the proposed bill, I can only imagine how long it would have taken to implement the 7 percent increase in the hourly wage rate if we would have been permitted to.”
Oral Testimony in Opposition
By Dawn M. Rhodes, DBA, MBA, Chief Business and Finance Officer and Vice President, University of Maryland, Baltimore

Maryland Police Accountability Act of 2021 — Police Discipline and Law Enforcement Programs and Procedures (HB 670)
UMB Position: Monitor
Final Status: Passed

This bill makes various changes that generally relate to law enforcement. Among other things, the bill repeals the Law Enforcement Officers’ Bill of Rights (LEOBR) and establishes provisions that relate to a statewide accountability and discipline process for police officers; alters requirements for the Maryland Police Training and Standards Commission (MPTSC) regarding training and police certification; establishes the Maryland Use of Force Statute; requires each law enforcement agency to require, by Jan. 1, 2025, the use of body-worn cameras (BWCs), as specified, and alters provisions regarding search warrants. The legislation also establishes two higher education financial assistance programs for police officers, with mandated appropriations; increases civil liability limits applicable to police misconduct lawsuits; authorizes public disclosure of police disciplinary records; requires reporting on SWAT team activity and
use of force complaints; and authorizes forfeiture of pension contributions under specified circumstances. Specified provisions relating to LEOBR, the new police accountability and discipline process, MPTSC, use of force, and other accountability provisions take effect July 1, 2022.

Maryland Medical Assistance Programs — Dental Providers and Dental Students — Reimbursement (HB 710/SB 465)
UMB Position: Oppose
Final Status: Withdrawn

This bill would require the Maryland Department of Health (MDH), under the Medicaid program, to reimburse a dental provider for services rendered by a student of dentistry who is engaged in a specified dental education program and provided services under the supervision of a licensed dentist.

Facilitating University Transformations by Unifying Reductions in Emissions (FUTURE) Act (HB 803/SB 835)
UMB Position: Monitor
Final Status: Held in Committee

This bill would require each public four-year institution to be carbon neutral for “Scope 1 direct emissions” and “Scope 2 indirect emissions” by Jan. 1, 2025, and for “Scope 3 induced emissions” by Jan. 1, 2035. Carbon neutrality can be met through reduced carbon emissions or carbon offsets. Except under specified conditions, an institution that uses carbon offsets must meet specified requirements related to the percentage of projects that are achieved in Maryland, the Chesapeake Bay watershed, or through an environmental justice offset project. Each carbon offset must be verified, as specified. Each institution must have specified staff to implement and report on the progress the institution has made toward meeting the requirements of the legislation, as specified. The bill would have taken effect July 1, 2021.

Baltimore Regional Neighborhood Initiative Program Fund (HB 867/SB 699)
UMB Position: Support
Final Status: Passed

This bill makes the annual mandated appropriation of $12 million for the Baltimore Regional Neighborhood Initiative Program Fund permanent. The bill takes effect July 1, 2021.

“UMB has been a partner in the Southwest Partnership [SWP], which is comprised of seven neighborhoods and six anchor institutions. Through the continuation of BRNI, SWP could have the opportunity to access funding for such initiatives as the acquisition of iconic buildings in the community for redevelopment, small business loans for facade treatment and retail investment, and reclamation of vacant lots in the SWP area.”

Written Testimony in Support
Higher Education — Hunger-Free Campus Grant Program — Established (HB 891/SB 767)
UMB Position: Monitor
Final Status: Passed

This bill establishes the Hunger-Free Campus Grant Program for public institutions of higher education administered by the Maryland Higher Education Commission (MHEC). MHEC must allocate grant funding to any public institution or regional higher education center (RHEC) that pledges a matching contribution to be used to implement the goals of the program and is designated as a hunger-free campus, according to the standards set in the bill. Beginning in FY 2023, the governor must include $150,000 annually in the budget for the program. MHEC must incorporate a plan for addressing any basic needs insecurity of higher education students into the 2026-2030 State Plan for Higher Education. Within two years after establishing the program, MHEC must report on the implementation of the bill as specified. The bill takes effect Oct. 1, 2021.

Community Development Administration — Live Near Your School Program — Establishment (HB 943/SB 637)
UMB Position: Support
Final Status: Passed

This bill authorizes the Community Development Administration (CDA) within the Department of Housing and Community Development (DHCD) to administer the Live Near Your School Program (LNYS) and a related homebuyer assistance program. The homebuyer assistance program is authorized to assist current students and recent graduates, as defined by the bill, in receiving low-interest loans to purchase homes near the public institution of higher education attended by the individual. In addition, LNYS is authorized to administer community development projects that provide current students and recent graduates with grants to buy homes in sustainable communities that are near the school attended by the student or graduate. The bill terminates Sept. 30, 2024.

“On behalf of the University of Maryland, Baltimore, I would like to express my strong support for SB 637, Community Development Administration-Live Near Your School Program-Establishment. The University of Maryland, Baltimore’s (UMB) Live Near Your Work (LNYW) Program is a homebuying assistance benefit for University employees that offers money toward the down payment and closing costs of homes in select West Baltimore neighborhoods, including the purchase of a home requiring major renovations.

“Currently, the program offers UMB employees assistance with down payments and closing costs on newly purchased homes in designated areas.
“While undergraduate or graduate students do not participate in UMB’s program, we believe that adding a Live Near Your School program, if funded properly, would complement our successful LNYW Program at UMB. A LNYS program would encourage our students to help contribute to the revitalization of West Baltimore and the city of Baltimore.”
Written and Oral Testimony in Support
By Dawn M. Rhodes, DBA, MBA, Chief Business and Finance Officer and Vice President, University of Maryland, Baltimore

**Income Tax — Credits for Preceptors in Areas with Health Care Workforce Shortages — Eligibility and Sunset Repeal (HB 1195/SB 92)**
UMB Position: Support
Final Status: Held in Committee

This bill would repeal the termination dates of the licensed physician and nurse practitioner preceptor income tax credits. The bill also would alter eligibility for the licensed physician preceptorship tax credit by specifying that, in order to qualify, each rotation worked by a qualifying preceptor must consist of at least 100 hours of community-based clinical training. The bill would have taken effect June 1, 2021, and applied to tax years 2021 and beyond.

“I am in favor of allowing for the same tax credit, which currently goes to physicians and nurse practitioners, to include physician assistants. This will allow for a greater number of primary care mentors to host students in their office. I believe in doing so we will see a greater number of general practitioners [physicians, nurse practitioners, and physician assistants] choose to work in underserved areas of our state.”
Written and Oral Testimony in Support
By Richard Colgan, MD, Executive Vice Chair, Family and Community Medicine, and Director, Area Health Education (AHEC) Program, University of Maryland School of Medicine

**Income Tax — Credits for Preceptors in Areas with Health Care Workforce Shortages (HB 1252/SB 102)**
UMB Position: Support
Final Status: Passed

This bill extends the termination dates of the licensed physician and nurse practitioner preceptor income tax credits to June 30, 2026. The bill also establishes a physician assistant preceptor income tax credit. The State Board of Physicians must assess a $15 fee for the renewal of a physician assistant license to be paid to the Physician Assistant Preceptorship Tax Credit Fund to offset the costs of the physician assistant preceptor tax credit. Provisions of HB 1195/SB 92 (above) were amended into HB 1252/SB 102 to alter the eligibility for the licensed physician preceptorship tax credit by specifying that, in order to qualify, each rotation worked by a qualifying preceptor must consist of at least 100 hours of community-based clinical training. The bill will take effect June 1, 2021.
“We are in dire need of more primary care practitioners in the state of Maryland, particularly in the underserved areas of our state. I can attest to the fact that one of the greatest factors in a health professional student deciding to choose a primary care career is face time with a role model. Better yet, is working alongside a clinician in his/her community office. With passage of this bill, we also believe we will see a greater number of preceptors willing to take our students into their offices. Seeing the excitement and joy a clinician has for caring for his/her primary care patients in an underserved area of Maryland will greatly enhance the likelihood that the students will in turn decide to become a primary care clinician, perhaps even to choose practicing in the same community where they were once trained.”

Written and Oral Testimony in Support
By Richard Colgan, MD, Executive Vice Chair, Family and Community Medicine, and Director, Area Health Education (AHEC) Program, University of Maryland School of Medicine

Regional Institution Strategic Enterprise Zone Program — Alterations (HB 1279/SB 778)
UMB Position: Support
Final Status: Passed

This bill alters the existing Regional Institution Strategic Enterprise (RISE) Zone Program by establishing for qualified businesses a rental assistance grant program and enhanced biotechnology investment incentive and cybersecurity investment incentive tax credits; limiting to 500 acres the maximum size of a zone; limiting existing income tax and property tax credits to businesses that locate in a RISE zone before Jan. 1, 2023; expanding the purposes of the program; and terminating program tax credits and benefits effective Jan. 1, 2028. The bill will take effect June 1, 2021.

“This legislation fosters economic development in the state of Maryland and the proposed amendments offer an alternative benefit to potential early stage, high-growth businesses that are affiliated with UMB research and innovation. HB 1279 provides a means for us to continue to see the expansion of critical high-growth, high-wage jobs in Baltimore City by supporting with tax incentives and rent subsidies.”

Written Testimony in Support
By James L. Hughes, MBA, Senior Vice President and Chief Enterprise and Economic Development Officer, University of Maryland, Baltimore

Institutions of Higher Education — Use of Criminal History in Admission — Modifications (SB 127)
UMB Position: Monitor
Final Status: Passed

This bill prohibits an institution of higher education that receives state funds from disqualifying an applicant from undergraduate admission based on the applicant’s criminal history obtained from a third-party admissions application. Further, an institution may not make inquiries into and
consider information about a student’s criminal history for the purpose of admission, including denying or limiting a student’s admission into a particular academic program. An institution of higher education may develop a process for determining or restricting access to campus residency for a student who has been convicted of a sexual crime under Title 3, Subtitle 3 of the Criminal Law Article; a crime of violence under Title 14 of the Criminal Law Article; or a substantially similar crime in another state. The bill takes effect July 1, 2021.

**State Personnel — Collective Bargaining (SB 521)**  
USM Position: Oppose  
Final Status: Held in Committee

This bill would authorize graduate assistants at the University System of Maryland (USM), Morgan State University (MSU), and St. Mary’s College of Maryland (SMCM) to collectively bargain. The bill would have taken effect July 1, 2021.

**University System of Maryland — Student Fees — Review and Spending (SB 895)**  
UMB Position: Monitor  
Final Status: Passed

This bill requires that, when setting mandatory and nonmandatory student fees, the president of each University System of Maryland (USM) institution must present information on such fees for review by the student fee committee of record. The information presented to the committee must include the amount of the fee; the students who will be charged the fee; and the proposed use of revenues from the fee. Unless the student fee committee of record reviews an exception to the use of the fee, revenues derived from fees as reviewed by the committee must be spent by the campus unit or department that requested the fee in a manner consistent with the intended purpose for which the fee exists. The bill takes effect July 1, 2021.

**University of Maryland Strategic Partnership Act of 2016 — Appropriations and Degree and Credential Programs — Alterations (SB 943)**  
UMB Position: Support  
Final Status: Passed

This bill increases, beginning in FY 2023, mandated appropriations by $2.5 million each for the Center for Maryland Advanced Ventures at the University of Maryland (CMAVUM) and the University of Maryland Center for Economic and Entrepreneurship Development (UMCEED). A portion of the mandated funding is for the development and location of technology companies in Baltimore City and Prince George’s County. In addition, for FY 2023 through FY 2027, the governor must appropriate at least an additional $4 million to the University System of Maryland (USM) Office to increase the estimated funding guideline attainment levels of USM institutions as specified. The bill also includes $3 million for the Center for Cybersecurity at the University of Maryland, Baltimore County. The bill takes effect July 1, 2021.
"The University of Maryland Strategic Partnership: MPowering the State [MPower] combines the extraordinary resources of the state’s largest public research engines — the University of Maryland, Baltimore (UMB) and the University of Maryland, College Park (UMCP) — to strengthen and serve the state of Maryland and its citizens. MPower has fostered hundreds of collaborations that are growing Maryland’s innovation economy, advancing interdisciplinary research, increasing educational benefits, and addressing the state’s most critical issues. With additional funding provided in SB943, CMAV will be able to significantly increase entrepreneurship and job creation in Maryland, creating and/or retaining approximately 100 jobs per year in Baltimore City. We will particularly focus on increasing diversity of management-level positions in University-created and -sponsored businesses and creating lab incubator space for University startups. Funds will also be invested in high-priority translational research, including artificial intelligence, health informatics, and personalized medicine. These focus areas capitalize on strengths at UMB and UMCP, expanding research and commercialization collaborations between both universities."

Written and Oral Testimony in Support
By Bruce E. Jarrell, MD, FACS, President, University of Maryland, Baltimore

b. Academic and Research Policy

Institute for Innovation and Implementation — Pregnant, Expecting, and Parenting Students — Data Collection and Report (HB 439/SB 470)
UMB Position: Monitor
Final Status: Held in Committee

This bill would require five specified local boards of education (i.e., Charles, Prince George’s, Washington, and Wicomico counties, and Baltimore City) to collect, track, and submit to the Institute for Innovation and Implementation (The Institute) at the University of Maryland School of Social Work (UMSSW) specified information about pregnant, expecting, and parenting students by June 1, 2022, and each June 1 thereafter. The Institute must analyze the data; document and evaluate the professional development activities of each local school system related to pregnant, expecting, and parenting students; and document and evaluate policy changes related to pregnant, expecting, and parenting students from each local school system. The Institute must use this information to develop recommendations for the General Assembly, with an interim report due by June 30, 2023, and a final report due by June 30, 2025. The bill would have taken effect July 1, 2021, and terminated Dec. 31, 2025.

“We know that identifying and supporting youth who are pregnant and parenting leads to better outcomes. The HHS-sponsored Pregnancy Assistance Fund, which has funded 81 projects in 32 states to support pregnant and parenting youth, clearly demonstrates this. Since 2010, programs across the country have repeatedly demonstrated that by identifying and supporting youth who are pregnant and parenting, they are more likely to graduate from high school, plan on attending college, and engage in parenting support programs. Over two years, we served 680 pregnant and parenting youth, with 39 percent served within high schools."
These students engaged in community supports to allow them to remain in school such as accessing child care, parenting programs, and additional community support services.”

Written and Oral Testimony in Support
By Margo Candelaria, PhD, Research Assistant Professor, and Co-Director, Parent, Infant, Early Childhood (PIEC) Program, The Institute for Innovation and Implementation, University of Maryland School of Social Work

Legal Education Success Collaborative — Established (HB 1268/SB 526)
UMB Position: Support
Final Status: Passed

This bill establishes the Legal Education Success Collaborative between the University of Baltimore (UB) School of Law, the University of Maryland (UM) Francis King Carey School of Law, and the Maryland historically black colleges and universities (HBCUs) to increase diversity in the legal field. Beginning in FY 2023, the governor must appropriate $125,000 to each scholars program at the UB School of Law and the UM School of Law. The schools must each match up to $125,000 of the state appropriation. The bill takes effect July 1, 2021.

“In 2017, with the support of several law school partners, Maryland Carey Law created our Diversity and Inclusion Scholars Initiative. Our program currently has eight law firm and business partners. The Diversity and Inclusion Scholars Initiative offers financial and professional support to 10-15 academically talented students annually [for a total of 30-45 students at any one time]. Diversity Scholars have demonstrated leadership and an ability to overcome challenges. In addition to financial assistance, the students receive mentoring from our partners, attend networking events, participate in activities in the legal community and at the law school, and have access to other skill-building exercises. They also build a strong community within the program to support each other and contribute to each other’s success and sense of belonging.”

Written and Oral Testimony in Support
By Donald B. Tobin, JD, Dean, University of Maryland Francis King Carey School of Law

“My story is one of many, from inner-city youth who are bright, capable, and eager, but have those same three strikes against them. Kids who do not have fathers that are judges, or money to fix their problems. The Diversity and Inclusion scholarship is an avenue to level the playing field. It afforded me the opportunity to attend law school without putting further strain on my family and a chance to begin life with one less strike lingering over my shoulder. I was given an opportunity to attend the best law school in Maryland, fulfill my dream to become an attorney, and develop lifelong friendships with likeminded individuals.”

Written and Oral Testimony in Support
By Randall Phillip Ainsworth, Student, University of Maryland Francis King Carey School of Law

c. Regulation of the Professions
Preserve Telehealth Access Act of 2021 (HB 123/SB 3)
UMB Position: Support
Final Status: Passed

This bill expands the definition of telehealth and the coverage and reimbursement requirements for health care services provided through telehealth for Medicaid and private insurance. Insurers, nonprofit health service plans, and health maintenance organizations (collectively known as carriers) must reimburse for a covered service appropriately provided through telehealth, as specified. By Dec. 1, 2022, the Maryland Health Care Commission (MHCC) must submit a report on the impact of providing telehealth services in accordance with the bill’s requirements. The bill takes effect July 1, 2021; the bill’s insurance provisions apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the state on or after that date.

“The University of Maryland School of Medicine strongly supports SB 3 — Preserve Telehealth Access Act of 2021. The COVID-19 public health emergency accelerated the maturity of our telehealth programs across our Faculty Practice plan. What would have otherwise crippled our health care system, the ability to deliver virtual care during the pandemic became critically important for our beneficiaries. Access to telehealth services without geographic restrictions, and via audio-only transmission, helped ensure that patients could receive care where they are based on consumer choice and safety, and adjudicated by clinical judgment. We fully recognize and appreciate the high level of patient satisfaction delivered through telehealth services and plan to continue this high-quality virtual care beyond the pandemic, with your help.”
Written Testimony in Support
By E. Albert Reece, MD, PhD, MBA, Dean, University of Maryland School of Medicine

Pharmacists — Administration of Self–Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act) (HB 135/SB 84)
UMB Position: Support
Final Status: Passed

This emergency bill authorizes a licensed pharmacist to administer a “maintenance injectable medication” that is not a biological product to a patient under specified circumstances. By Sept. 1, 2021, the State Board of Pharmacy, along with the State Board of Physicians and the State Board of Nursing, must adopt regulations establishing specified standard procedures. Specified insurers, nonprofit health service plans, and health maintenance organizations, as well as Medicaid and the Maryland Children’s Health Program (MCHP), must provide coverage for the administration of a self-administered medication or maintenance injectable medication rendered by a licensed pharmacist to the same extent as services rendered by any other licensed health care practitioner for patient assessment regarding and administration of self-administered or maintenance injectable medications. The bill’s insurance provisions apply to all policies and contracts issued, delivered, or renewed in the state on or after Jan. 1, 2022.
“This bill is of particular benefit to patients who suffer from serious mental illness. Poor adherence to anti-psychotics has been associated with higher risk of relapse, hospitalization frequency, and costs. The economic burden of schizophrenia is estimated at $155.7 billion annually. Over 40 percent of all patients are not adherent to their medications. Bipolar disorder ranks as the 18th-leading cause of disability, with non-adherence between 20-60 percent. Adherence to drug therapies improves not only symptom control but also cognition and functional performance, which are associated with substantial non-health care and indirect cost savings.”

Written Testimony in Support
By Natalie D. Eddington, PhD, FAAPS, FCP, Dean, University of Maryland School of Pharmacy

State Board of Physicians — Genetic Counselors — Licensing (HB 299/SB 34)
UMB Position: Support
Final Status: Passed

This bill requires individuals, on or after Jan. 1, 2024, to be licensed to “practice genetic counseling” by the State Board of Physicians (MBP) before they may practice genetic counseling in the state. The bill also establishes a Genetic Counseling Advisory Committee within MBP. MBP must adopt regulations for the licensure and practice of genetic counseling. The bill takes effect Jan. 1, 2022.

“Genetic counselors are master’s-trained health care professionals who provide consumers with information, education, counseling, advocacy, and emotional support for medical conditions that have genetic indications. Licensure for genetic counselors is essential to ensuring that genetic counseling providers are appropriately trained and credentialed so that individuals receive proper information and care. Licensure of genetic counselors serves as a title protection to prevent nongenetic counseling-trained individuals from attempting to and ordering genetic tests or targeting vulnerable patient populations, such as Medicare patients or patients whose family members are impacted by genetic disease.”

Written Testimony in Support
By E. Albert Reece, MD, PhD, MBA, Dean, University of Maryland School of Medicine

Task Force on Oral Health in Maryland (HB 368/SB 100)
UMB Position: Support
Final Status: Passed

This bill establishes the Task Force on Oral Health in Maryland to study access to dental services for all state residents and identify areas lacking in dental services. The University of Maryland School of Dentistry dean will co-chair the task force with the Deputy Secretary of Public Health Services. The Maryland Department of Health (MDH) and the Department of Legislative Services (DLS) must provide staff for the task force. The task force must submit an interim

“SB 100 will create a task force that is directed to perform an extensive study of the barriers to dental care. Oral health is a critical component of overall health. While Maryland has made much progress in the last decade to improve the oral health status of its residents, access problems still remain for poor and vulnerable populations. Strategies to improve access to care remain an important component of our education programs. This task force provides an excellent opportunity to comprehensively evaluate oral health in the state, including access to care and other systemic limitations to receiving dental services. Such a comprehensive, multidisciplinary review should result in meaningful recommendations to address current oral health challenges.”
Written Letter in Support
By Mark A. Reynolds, DDS, PhD, MA, Dean, University of Maryland School of Dentistry

Mental Health — Assent to and Certificates for Admission — Licensed Certified Social Worker-Clinical and Licensed Clinical Professional Counselor (HB 689/SB 466)
UMB Position: Support
Final Status: Passed

This bill authorizes a licensed certified social worker-clinical (LCSW-C) or a licensed clinical professional counselor (LCPC), in conjunction with a physician, to certify an individual for involuntary admission to a facility or a Veterans Affairs (VA) hospital and assent to the voluntary admission of a minor to the child or adolescent unit of a state facility. The bill also makes conforming changes.

“Social workers provide the majority of behavioral health services in Maryland. Social Workers at the LCSW-C [Licensed Certified Social Work-Clinical] level provide psychotherapy services to citizens suffering from serious mental illness, which at times necessitates an involuntary admission to a psychiatric in-patient facility. Being able to initiate involuntary admissions for at-risk clients is an important treatment option to assure the safety of our clients and the community at large. With this change in the law, social workers will be poised to provide much-needed support to emergency room staff and law enforcement personnel when they are responding to serious behavioral health issues that present safety concerns.”
Written and Oral Testimony in Support
By Judy L. Postmus, PhD, ACSW, Dean, University of Maryland School of Social Work

Telehealth Services — Expansion (HB 731/SB 567)
UMB Position: Support
Final Status: Held in Committee
This administration bill would require Medicaid to provide health care services appropriately delivered through telehealth to program recipients regardless of their location and allow a “distant site provider” to provide health care services to a recipient from any location at which the services may be appropriately delivered through telehealth. The bill expands the definitions of telehealth for Medicaid, health occupations, and private insurance. Insurers, nonprofit health service plans, and health maintenance organizations (collectively known as carriers) must reimburse for a covered service appropriately provided through telehealth on the same basis and at the same rate as if delivered in person. A carrier may not impose as a condition of reimbursement for a telehealth service that the service be provided by a provider designated by the carrier. The bill’s insurance provisions apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the state on or after Jan. 1, 2022. The bill would have taken effect July 1, 2021.

“In response to the public health emergency, telehealth services allowed physicians and other providers to deliver care to our patients while supporting social distancing efforts, reducing exposure and spread of SARS-CoV-2 and other diseases, and reducing the utilization of personal protective equipment [a high-value commodity during the public health emergency]. Telehealth services allowed us to optimize technology to support secure, HIPAA-compliant virtual care, especially for some of our underserved populations. Telehealth technology allowed for the continuity of care helping to enhance patient wellness and improve efficiency and quality of care — with increased patient satisfaction. We also experienced access to real-time information related to social determinants of health that impact the lives of many patients in the communities that we serve. The efforts of greater provider-to-patient communication and trust helped lead to improved health outcomes, reduced cost and waste, and duplication of services.”

Written Testimony in Support
By E. Albert Reece, MD, PhD, MBA, Dean, University of Maryland School of Medicine

State Board of Social Work Examiners — Revisions (HB 811/SB 597)
UMB Position: Support
Final Status: Passed

This bill renames the Maryland Social Workers Act as the Maryland Social Workers Practice Act and alters the act by requiring an individual employed by the federal government and licensed to practice social work in the state to comply with the act; repealing obsolete provisions related to a licensed graduate social worker (LGSW) and the practice of graduate social work; altering the definition of licensed certified social worker (LCSW); altering the number of required hours of specified supervision for a licensed certified social worker-clinical (LCSW-C); redefining the social worker rehabilitation committee as the “social worker rehabilitation process”; requiring the board to include disciplinary history, if applicable, on each electronic license record; specifying that the board must approve certain licensees to provide supervision in accordance with board regulations; and increasing the penalty for violating certain provisions of the Act from $5,000 to $10,000. The bill also makes various technical and clarifying changes.
“Many of the proposed changes, while not substantive, do reflect the advances in the behavioral health context and provide helpful updates. Other proposed changes would align Maryland statute more consistently with other licensing laws in surrounding states by phasing out the LCSW license in 2023 and reducing the number of required hours from 144 to 100 for a LMSW working toward the LCSW-C license. These changes will provide reciprocity and consistency among the states.”
Written Testimony in Support
By Judy L. Postmus, PhD, ACSW, Dean, University of Maryland School of Social Work

Health Occupations — Licensed Dentists — Administration of Vaccines (SB 808)
UMB Position: Support
Final Status: Held in Committee

This bill would expand the practice of dentistry to include administration of a vaccine, as specified. Before a licensed dentist may administer a vaccine, the dentist must complete a specified board-approved course. To remain eligible to administer a vaccine, a licensed dentist must complete specified continuing education. The State Board of Dental Examiners may adopt regulations governing the administration of vaccines by licensed dentists.

“There is a growing recognition that dental offices represent an important portal to primary care, as reflected in expanded screening for chronic conditions, such as hypertension and diabetes, consistent with broader efforts to advance health promotion, prevention, and treatment. The administration of vaccines by dentists would increase access to care and reduce gaps in preventive care, since approximately 9 percent of patients go to a dentist but not to a physician in a given year. The School of Dentistry is now providing vaccine administration training and education as part of our curriculum.”
Written Letter in Support
By Mark A. Reynolds, DDS, PhD, MA, Dean, University of Maryland School of Dentistry
Testimony and briefings during the 2021 Session of the Maryland General Assembly of interest to the University of Maryland, Baltimore community.

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<td>❖ Charles Doring, DDS, University of Maryland School of Dentistry (UMSOD)-Support</td>
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<td>1/20</td>
<td>Health and Government Operations</td>
<td>HB 135 Pharmacists - Administration of Self-Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)</td>
<td>❖ Natalie D. Eddington, PhD, FAAPS, FCP, Dean, University of Maryland School of Pharmacy (UMSOP)-Support</td>
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<td>1/21</td>
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<td>SB 92 Income Tax - Credits for Preceptors in Areas With Health Care Workforce Shortages - Eligibility and Sunset Repeal</td>
<td>❖ Richard Colgan, MD, University of Maryland School of Medicine (UMSOM)-Support</td>
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<td>1/26</td>
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<td>SB 34 State Board of Physicians - Genetic Counselors - Licensing</td>
<td>❖ E. Albert Reece, MD, PhD, MBA, Dean, University of Maryland School of Medicine (UMSOM)-Support</td>
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<td>1/26</td>
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<td>SB 84 Pharmacists – Administration of Self-Administered Medications and Maintenance Injectable Medications (Christopher King Access to Treatment Act)</td>
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<td>Budget and Taxation</td>
<td>SB 102 Income Tax - Credits for Preceptors in Areas With Health Care Workforce Shortages</td>
<td>✧Richard Colgan, UMSOM-Support</td>
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<td>1/26</td>
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<td>SB 167 State Board of Social Work Examiners - Temporary License to Practice Social Work</td>
<td>✧Judy L. Postmus, PhD, ACSW, Dean, University of Maryland School of Social Work (UMSSW)-Support</td>
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<td>✧E. Albert Reece, UMSOM-Support</td>
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<td>✧Bruce E. Jarrell, MD, FACS, President, University of Maryland, Baltimore (UMB)-Support</td>
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<td>1/28</td>
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<td>SB 273 Electronic Smoking Device Regulation Act of 2021</td>
<td>✧Brooke Torton, JD, University of Maryland Carey School of Law (UMCSOL)-Oppose</td>
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<td>HB 421 Income Tax Distribution - Tax Clinics for Low-Income Marylanders</td>
<td>✧Donald B. Tobin, JD, Dean, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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<td>SB 134 Civil Actions - Child Sexual Abuse - Definition and Statute of Limitations</td>
<td>✤Kathleen Hoke, JD, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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| 2/3  | Finance | SB 100 Task Force on Oral Health in Maryland | ✤Janet Yellowitz, UMSOD-Support  
✱Charles Doring, UMSOD-Support |
<p>| 2/3  | Appropriations | HB 486 State Employees - Collective Bargaining - Applicability, Bargaining Processes, and Memorandums of Understanding | ✤Dawn M. Rhodes, DBA, MBA, University of Maryland, Baltimore (UMB)-Oppose |
| 2/3  | Ways and Means | HB 439 Institute for Innovation and Implementation - Pregnant, Expecting, and Parenting Students - Data Collection and Report | ✤Margo Candelaria, PhD, University of Maryland School of Social Work (UMSSW)-Support |
| 2/4  | Health and Government Operations | HB 299 State Board of Physicians - Genetic Counselors - Licensing | ✤E. Albert Reece, UMSOM-Support |
| 2/4  | Finance | SB 9 State Employees - Collective Bargaining - Applicability, Bargaining Processes, and Memorandums of Understanding | ✤Dawn Rhodes, UMB-Oppose |</p>
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<td>SB 491 Operating Budget - Maryland DHCD Youth REACH MD</td>
<td>❖ Carrie Gould-Kabler, MSW, University of Maryland Social Work (UMSSW)-Support</td>
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<td>❖ Deborah Harburger, MSW, University of Maryland School of Social Work (UMSSW)-Support</td>
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<td>2/9</td>
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<td>HB 710 Maryland Medical Assistance Programs - Dental Providers and Dental Students - Reimbursement</td>
<td>❖ Mark A. Reynolds, DDS, PhD, Dean, University of Maryland School of Dentistry (UMSOD)-Oppose</td>
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<td>❖ Charles Doring, UMSOD-Oppose</td>
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<tr>
<td>2/9</td>
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<td>SB 504 Discrimination in Employment - Use of Medical Cannabis - Prohibition</td>
<td>❖ Kathleen Hoke, UMCSOL-Support</td>
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<td>Finance</td>
<td>SB 465 Maryland Medical Assistance Programs - Dental Providers and Dental Students - Reimbursement</td>
<td>❖ Mark Reynolds, UMSOD-Oppose</td>
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<td>❖ Charles Doring, UMSOD-Oppose</td>
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<td>❖ Kathleen Hoke, UMCSOL-Support</td>
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<td>SB 406 - Public Safety - Local Youth Violence Review Committees</td>
<td>❖ Nadine M. Finigan-Carr, PhD, University of Maryland School of Social Work (UMSSW)-Support</td>
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<td>SB 378 Baltimore City - Cigarettes, Other Tobacco Products, and Electronic Smoking Devices - Local Laws Authorization</td>
<td>❖ Brooke Torton, JD, UMCSOL-Support</td>
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<td>HB 776 State Department of Education - Infant and Early Childhood Mental Health Consultation Project - Study and Report</td>
<td>✧ Margo Candelaria, UMSSW-Support</td>
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| 2/16  | Health and Government Operations | HB 689 Mental Health - Assent to and Certificates for Admission - Licensed Certified Social Worker-Clinical and Licensed Clinical Professional Counselor | ✧ Judy Postmus, UMSSW-Support  
✧ John R. Belcher, PhD, MSW, University of Maryland School of Social Work (UMSSW)-Support  
✧ Edward Pecukonis, PhD, MSW, University of Maryland School of Social Work (UMSSW)-Support |
| 2/16  | Finance                  | SB 466 Mental Health - Assent to and Certificates for Admission - Licensed Certified Social Worker-Clinical and Licensed Clinical Professional Counselor | ✧ Judy Postmus, UMSSW-Support  
✧ John Belcher, UMSSW-Support  
✧ Edward Pecukonis, UMSSW-Support |
<p>| 2/17  | Finance                  | SB 567 Telehealth Services - Expansion                                                                                                | ✧ E. Albert Reece, UMSOM-Support                |
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| 2/17  | Appropriations           | HB 867 Baltimore Regional Neighborhood Initiative Program Fund                                                                            | ✧ James L. Hughes, MBA, University of Maryland, Baltimore (UMB)-Support |</p>
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<td>❖ Mollie Soloway, Student, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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<td>HB 52 Real Property - Eviction Actions - Alterations in Actions for Repossession</td>
<td>❖ Kyle Keraga, Student, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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<td>HB 112 Residential Property - Eviction Proceedings - Sealing of Court Records</td>
<td>❖ Kyle Keraga, UMCSOL-Support</td>
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<td>❖ Alexandra LaFree, Student, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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<td>❖ Kathryn Martin, Student, University of Maryland Carey School of Law (UMCSOL)-Oppose</td>
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<td>❖ Ashley Valis, MSW, University of Maryland, Baltimore (UMB)-Support</td>
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<td>SB 699 Baltimore Regional Neighborhood Initiative Program Fund</td>
<td>❖ James Hughes, UMB-Support</td>
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<td>2/23</td>
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<td>SB 637 Community Development Administration - Live Near Your School Program - Establishment</td>
<td>❖ Dawn Rhodes, UMB-Support</td>
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<td>2/24</td>
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<td>SB 778 Regional Institution Strategic Enterprise Zone Program - Alterations</td>
<td>❖ James Hughes, UMB-Support&lt;br&gt;❖ Mary Morris, University of Maryland, Baltimore (UMB)-Support</td>
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<td>Ways and Means</td>
<td>HB 940 Gaming - Regulation of Fantasy Gaming Competitions and Implementation of Sports Wagering - Supplementary Appropriation</td>
<td>❖ Erin Weinstock, Student, University of Maryland Carey School of Law (UMCSOL)-Support with Amendments</td>
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<td>2/25</td>
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<td>SB 526 Legal Education Success Collaborative - Established</td>
<td>❖ Donald Tobin, UMCSOL-Support&lt;br&gt;❖ Randall Ainsworth, Student, University of Maryland Carey School of Law (UMCSOL)-Support</td>
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<td>Education, Health and Environmental Affairs</td>
<td>SB 470 Institute for Innovation and Implementation - Pregnant, Expecting, and Parenting Students - Data Collection and Report</td>
<td>❖ Margo Candelaria, UMSSW-Support</td>
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<td>Ways and Means</td>
<td>HB 1195 Income Tax - Credits for Preceptors in Areas With Health Care Workforce Shortages - Eligibility and Sunset Repeal</td>
<td>❖ Richard Colgan, UMSOM-Support&lt;br&gt;❖ Theresa M. Neumann, MPAS, PA-C, DFAAPA, University of Maryland School of Medicine (UMSOM)-Support</td>
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<td>2/26</td>
<td>Ways and Means</td>
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<td>❖ Richard Colgan, UMSOM-Support&lt;br&gt;❖ Theresa Neumann, UMSOM-Support</td>
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<td>SB 808 Health Occupations - Licensed Dentists - Administration of Vaccines</td>
<td>❖ Charles Doring, UMSOD-Support</td>
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<td>SB 828 HIV Prevention Drugs - Dispensing by Pharmacists and Insurance Requirements</td>
<td>❖Neha Pandit, PharmD, AAHIVP, BCPS, University of Maryland School of Pharmacy (UMSOP)-Support</td>
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<td>3/4</td>
<td>Budget and Taxation Education Business and Administration Subcommittee</td>
<td>SB 491 Operating Budget, University of Maryland, Baltimore</td>
<td>❖Bruce Jarrell, UMB-Support  ❖Dawn Rhodes, UMB-Support  ❖Roger J. Ward, EdD, JD, MSL, MPA, University of Maryland, Baltimore (UMB)-Support</td>
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<td>HB 1279 Regional Institution Strategic Enterprise Zone Program - Alterations</td>
<td>❖James Hughes, UMB-Support  ❖Mary Morris, UMB-Support</td>
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<td>SB 492 Capital Budget, University of Maryland, Baltimore</td>
<td>❖Bruce Jarrell, UMB-Support  ❖Luke Mowbray, University of Maryland (UMB)-Support</td>
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<td>❖Bruce Jarrell, UMB-Support</td>
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<td>SB 423 Public Health - Federal and State Funding for Abortions - Prohibition and Exceptions</td>
<td>❖Meghna Ramaswamy, Student, University of Maryland School of Medicine (UMSOM), Representing Self-Oppose</td>
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<td>Appropriations</td>
<td>HB 1268 Legal Education Success Collaborative - Established</td>
<td>❖Donald Tobin, UMCSOL-Support ❖Randall Ainsworth, UMCSOL-Support</td>
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<td>❖Bruce Jarrell, UMB-Support</td>
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UMB GOVERNMENT AFFAIRS

Kevin P. Kelly, Esq.
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*Senior Program Specialist*

**Special Thanks**

We wish to acknowledge the following student interns for their work during the 2021 legislative session:

*School of Medicine*
Jack Peng
Meghna Ramaswamy
Andrea Theodoru

*School of Pharmacy*
Devyn Horveath
Caroline Russell
Allison Thompson