



March 5, 2021

Monday, March 8th will mark the 55th day of the 90-day legislative session.

COVID PRESUMPTION FOR FIRST RESPONDERS

House Bill 1199 establishes an occupational disease presumption for employees with specified public safety and first responder occupations (such as paid and volunteer firefighters, police officers, and paramedics) and certain child care workers, education workers, essential workers, and health care workers that are suffering from the effects of severe acute respiratory syndrome coronavirus 2. Covered employees who are suffering from COVID-2 are presumed, under certain circumstances, to have an occupational disease the was suffered in the line of duty or course of employment.

The fiscal impact is indeterminate but could be costly for University System of Maryland (USM) institutions. The fiscal impact is unknown because it depends on evolving medical information about coronavirus and specific medical responses of individuals who contract the virus. House Bill 1199 adds "education workers" to the types of employees covered for workers compensation benefits under certain circumstances, and includes a presumption relating to coverage of coronavirus as an "occupational disease."

The definition of "education workers" includes higher education teachers, maintenance workers, food service workers, and administrative personnel, among others. Under the legislation, there is a presumption that an education worker is suffering from a compensable occupational disease if they are suffering from the effects of severe acute respiratory syndrome coronavirus.

This bill establishes a presumption that certain classes of employee suffering certain effects of COVID would be granted the presumption that they contracted the virus in the line of duty. The bill would pretty much cover every employee, so it would be likely that under its provisions USM institutions could expect to see a rise in workers compensation claims from employees who meet the criteria.

WORKERS COMP AND OCCUPATIONAL HEALTH MEASURE IN THE SENATE

On Tuesday, Senate Bill 756 and Senate Bill 812 will be discussed in the Senate Finance Committee. The bills would create a legal presumption that "health care workers" at public higher

education institutions who test positive for COVID-19 are presumed to be entitled to worker's compensation benefits if their duties require them to be in direct contact with patients or to occupy, clean or repair areas occupied by patients.

The bill does not require that the patients have tested positive for COVID-19. For example, this could include a security guard working in the lobby of a clinic and many others for whom there is no reasonable risk of contracting COVID-19 through close contact with an infected individual.

Extensive health and safety equipment and protocols have been put in place to limit employees' potential exposure to COVID-19 and, as a result, the positivity rate on many USM campuses is lower than the rate in surrounding communities. The University of Maryland Baltimore, which includes the medical school, has conducted significant contact tracing throughout the pandemic, it has revealed very few instances of on-campus spread. Instead, community exposure appears to be responsible for almost all cases of COVID-19 among the university's first responders.

The fiscal impact of Senate Bill 756 and Senate Bill 812 is indeterminate, but it would result in the USM institutions assuming significant costs due to COVID-19 cases that predominantly are not work related.

Without the foresight of a cost-determination, and the possible negative impact to the budgets of USM institutions, the System asked for an unfavorable report.

CARBON NEUTRAL BILL IN HOUSE AND SENATE

On February 25th, in House Appropriations Committee, the Facilitating University Transformations by Unifying Reductions in Emissions (FUTURE) Act was heard. The cross file (Senate Bill 835) will be heard on March 9th in the Senate Education, Health and Environmental Affairs committee.

This bill requires each public four-year institution to be carbon neutral for "Scope 1 direct emissions" and "Scope 2 indirect emissions" by January 1, 2025, and for "Scope 3 induced emissions" by January 1, 2035. Carbon neutrality can be met through reduced carbon emissions of 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 the bill and dedicated to sustainability by specified dates. By December 1 annually, each public four-year institution must report on the progress the institution has made toward meeting the requirements of the bill, as specified. The bill takes effect July 1, 2021.

The USM supports the intent of this bill and are dedicated to the same critical goals of reducing energy use and greenhouse gas emissions, and of achieving carbon neutrality our institutions have already demonstrated significant progress. For example:

- Since 2007, the USM has completed (or are developing) nearly 80 “Green” (LEED Silver or better) facilities. More than half of them are funded with non-State or auxiliary resources.
- All USM facilities are designed and built to the standards of the State’s High Performance (Green) Building Program, and all meet similar standards for “smart growth” and “coast smart” construction.
- All USM institutions and the Universities at Shady Grove signed the American College & University Presidents Climate Commitment and are publicly reporting their progress in reducing carbon emissions as part of a national database,
- Collectively, USM institutions have documented a 34% reduction in CO2 emissions (a reduction of nearly 300,000 metric tons each year) since 2007. That’s the equivalent of removing 64,000 cars from the road or making 35,000 homes carbon neutral.
- USM institutions are key participants in State energy reduction programs, including efforts in support of the Governor’s Executive Order. In the last decade, our institutions have made significant reductions in energy use by changing campus behavior, utilizing energy performance contracting, and an enhanced reliance on renewable energy sources. The average energy reduction exceeds 15%, while the average use of renewable sources is 37%.
- The University of Maryland College Park reached 95% purchased electricity.

BILL HEARINGS

SB0554 (HB0246)

Higher Education - Returned Peace Corps Volunteers - In-State Tuition

Senator Young

In the Senate - Hearing 3/09 at 1:00 p.m.

Education, Health, and Environmental Affairs

HB1172

Higher Education – Pay It Forward Program and Pay It Forward Fund – Established

Delegate Hill

In the House - Hearing 3/09 at 1:30 p.m.

Appropriations

HB0850

Higher Education – Maryland Corps Program Fund – COVID–19 Emergency Funding Priorities

Delegate Rosenberg

In the House - Hearing 3/09 at 1:30 p.m.

Appropriations

SB0767 (HB0891)

Higher Education - Hunger-Free Campus Grant Program – Established

Senator Washington

In the Senate - Hearing 3/09 at 1:00 p.m.

Education, Health, and Environmental Affairs

SB0800 (HB1337)

Inmate Training and Job Act of 2021
Senator Patterson
In the Senate - Hearing 3/09 at 1:00 p.m.
Education, Health, and Environmental Affairs

SB0835 (HB0803)

Facilitating University Transformations by Unifying Reductions in Emissions (FUTURE) Act
Senator Rosapepe
In the Senate - Hearing 3/09 at 1:00 p.m.
Education, Health, and Environmental Affairs

SB0845 (HB0905)

Education – Workforce Development Sequence Scholarships – Eligibility
Senator Benson
In the Senate - Hearing 3/09 at 1:00 p.m.
Education, Health, and Environmental Affairs

SB0895

University System of Maryland - Student Fees - Review and Retention
Senator Rosapepe
In the Senate - Hearing 3/09 at 1:00 p.m.
Education, Health, and Environmental Affairs

HB0891 (SB0767)

Higher Education - Hunger-Free Campus Grant Program – Established
Delegate Davis, D.M.
In the House - Hearing 3/11 at 1:30 p.m.
Appropriations

HB1337 (SB0800)

Inmate Training and Job Act of 2021
Delegate Proctor
In the House - Hearing 3/15 at 1:30 p.m.
Judiciary

HB1208

Task Force to Study Academic Credit for Prior Learning in Higher Education
Delegate Solomon
In the House - Hearing 3/16 at 1:30 p.m.
Appropriations

HB1295

University System of Maryland – Student Fees – Review and Retention
Delegate Ivey

In the House - Hearing 3/16 at 1:30 p.m.
Appropriations

SB0709 (HB0892)

Economic Development - Maryland Technology Infrastructure Pilot Program – Establishment
Senator Edwards

In the Senate - Hearing 3/16 at 1:00 p.m.
Finance

SB0927

Institutions of Higher Education - Prohibition Against Incentive Payments - Foreign Student
Exemption

Senator Pinsky

In the Senate - First Reading Senate
Rules