Maryland Hospital Association

Bill Summary

Family and Medical Leave Insurance Program – Modifications

Senate Bill 828

BILL SUMMARY

Modifies the existing Family and Medical Leave Insurance (FAMLI) Program by clarifying and altering certain provisions relating to the administration of the program. The bill establishes new contribution and administrative standards for employers and employees. Additionally, the bill delays implementation, contribution, and access to the medical leave insurance fund.

WHAT'S NEXT

- The Secretary of the Maryland Department of Labor must adopt regulations by Jan. 1, 2024.
- MHA will convene members and engage with business groups to influence regulation development.

WHAT YOU CAN DO

Coordinate with HR departments on the new employer and employee requirements.

FURTHER QUESTIONS

For more information, contact Brandon Floyd.

KEY TAKEAWAYS

- Requires each employer of 15 or more employees to contribute 50% of the total rate of contribution for each participating employee.
- Participating employees will contribute the remaining 50% with a total (employer-employee) contribution cap of 1.2% employee wages.
- Allows employers to file for approval of a private plan that meets requirements of the state's plan.
- Employees are entitled up to 12 weeks of leave with an additional 12 weeks under certain circumstances.
- Employers may require employees to take benefits concurrently with existing coordinated benefit payments or leave. Such benefits can only run concurrently with existing employer family leave plans or federal FMLA for those who are eligible.
- The legislation limits FMLA and FAMLI benefit stacking. Requested unpaid FMLA leave will run concurrent with the FAMLI program for employees who solely apply for unpaid FMLA but not FAMLI benefits.
- The bill:
  - Delays implementation of the program to Jan. 1, 2024
  - Defers contribution to the program until Oct. 1, 2024
  - Postpones accessing the insurance fund until Jan. 1, 2026