

HOUSE COMMITTEE OF REFERENCE REPORT

May 9, 2022

---

Chair of Committee

Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB22-210 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, strike lines 2 through 21.
- 2 Strike pages 4 and 5.
- 3 Rerumber succeeding sections accordingly.
- 4 Page 6, strike lines 11 through 17 and substitute:

5        "(c) "HEALTH-CARE WORKER" MEANS A PERSON EMPLOYED BY A  
6 SUPPLEMENTAL HEALTH-CARE STAFFING AGENCY FOR TEMPORARY  
7 PLACEMENT IN A HEALTH-CARE FACILITY.

8        (d) "HEALTH-CARE WORKER PLATFORM" OR "PLATFORM" MEANS  
9 ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, OR ASSOCIATION THAT  
10 MAINTAINS A SYSTEM OR TECHNOLOGY THAT PROVIDES A MEDIA OR  
11 INTERNET PLATFORM FOR A HEALTH-CARE WORKER TO BE LISTED AND  
12 IDENTIFIED AS AVAILABLE FOR HIRE BY HEALTH-CARE FACILITIES SEEKING  
13 HEALTH-CARE WORKERS. UNDER A PLATFORM, THE HEALTH-CARE  
14 FACILITY SETS THE HOURLY RATES AND OTHER TERMS OF HIRE AND THE  
15 HEALTH-CARE WORKER, AS AN INDEPENDENT CONTRACTOR AND NOT AS  
16 AN EMPLOYEE OR AGENT OF THE ENTITY THAT MAINTAINS THE PLATFORM,  
17 DECIDES WHETHER TO AGREE TO THE HOURLY RATES AND OTHER TERMS  
18 OF HIRE.

19        (e) (I) "SUPPLEMENTAL HEALTH-CARE STAFFING AGENCY" OR  
20 "STAFFING AGENCY" MEANS AN INDIVIDUAL OR TYPE OF ORGANIZATION,  
21 INCLUDING ANY PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, LIMITED  
22 LIABILITY COMPANY, LIMITED LIABILITY LIMITED PARTNERSHIP,  
23 ASSOCIATION, TRUST, JOINT STOCK COMPANY, INSURANCE COMPANY, OR  
24 CORPORATION, WHETHER DOMESTIC OR FOREIGN, ENGAGED IN THE

1 BUSINESS OF PROVIDING HEALTH-CARE WORKERS WHO ARE EMPLOYEES OF  
2 THE STAFFING AGENCY, AND, FOR A FEE, ASSIGNING THEM TO TEMPORARY  
3 PLACEMENTS IN HEALTH-CARE FACILITIES.

4 (II) "SUPPLEMENTAL HEALTH-CARE STAFFING AGENCY" DOES NOT  
5 INCLUDE:

6 (A) AN INDIVIDUAL ACTING AS AN INDEPENDENT CONTRACTOR  
7 WHO IS ONLY ENGAGED IN PROVIDING THE INDIVIDUAL'S SERVICES ON A  
8 TEMPORARY BASIS TO HEALTH-CARE FACILITIES; OR

9 (B) A HEALTH-CARE WORKER PLATFORM.".

10 Page 7, strike lines 5 through 13 and substitute:

11 "(3) (a) NO LATER THAN OCTOBER 1, 2022, EACH SUPPLEMENTAL  
12 HEALTH-CARE STAFFING AGENCY SHALL MAINTAIN DETAILED DATA  
13 DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION. BY THE DEADLINES  
14 ESTABLISHED IN THIS SUBSECTION (3)(a), EACH STAFFING AGENCY SHALL  
15 PROVIDE REPORTS TO THE DEPARTMENT THAT CONTAIN THE INFORMATION  
16 AND CERTIFICATIONS SET FORTH IN SUBSECTION (3)(b) OF THIS SECTION.  
17 BEGINNING APRIL 30, 2023, AND CONTINUING EACH APRIL 30  
18 THEREAFTER, A STAFFING AGENCY OPERATING IN THE STATE SHALL  
19 PROVIDE A REPORT COVERING THE PERIOD BETWEEN OCTOBER 1 OF THE  
20 PREVIOUS YEAR AND MARCH 31 OF THE CURRENT YEAR. FOR THE  
21 REPORTING PERIOD BETWEEN APRIL 1 AND SEPTEMBER 30 OF THE  
22 CURRENT YEAR, THE STAFFING AGENCY SHALL FILE A REPORT ANNUALLY,  
23 BEGINNING OCTOBER 31, 2023, AND CONTINUING EACH OCTOBER 31  
24 THEREAFTER.".

25 Page 7, line 14, strike "QUARTERLY" and substitute "BIANNUAL".

26 Page 7, line 22, after "DURING" insert "EACH QUARTER OF".

27 Page 7, line 25, after "DURING" insert "EACH QUARTER OF".

28 Page 9, line 6, strike "QUARTERLY" and substitute "BIANNUAL".

29 Page 9, line 13, strike "QUARTER" and substitute "REPORTING PERIOD".

30 Page 9, line 22, strike "QUARTERLY" and substitute "BIANNUAL".

31 Page 9, strike lines 26 and 27 and substitute "ANALYZING THE  
32 INFORMATION PROVIDED BY THE SUPPLEMENTAL HEALTH-CARE STAFFING  
33 AGENCIES AND DETERMINING THE NEED FOR REGULATION OF STAFFING  
34 AGENCIES.".

1 Page 10, strike lines 1 through 3.

2 Page 10, strike lines 4 through 15 and substitute:

3 **"SECTION 3. Appropriation.** (1) For the 2022-23 state fiscal  
4 year, \$427,591 is appropriated to the department of labor and employment  
5 for use by the division of labor standards and statistics. This appropriation  
6 is from the general fund. To implement this act, the division may use this  
7 appropriation for program costs, which amount is based on an assumption  
8 that the division will require an additional 2.0 FTE.

9 (2) For the 2022-23 state fiscal year, \$39,358 is appropriated to  
10 the department of public health and environment for use by the health  
11 facilities and emergency medical services division. To implement this act,  
12 the division may use this appropriation as follows:

13 (a) \$24,071 for administration and operations, which amount is  
14 based on an assumption that the division will require an additional 0.3  
15 FTE; and

16 (b) \$15,545 for the purchase of information technology services.

17 (3) For the 2022-23 state fiscal year, \$15,545 is appropriated to  
18 the office of the governor for use by the office of information technology.  
19 This appropriation is from reappropriated funds received from the  
20 department of public health and environment under subsection (1)(b) of  
21 this section. To implement this act, the office may use this appropriation  
22 to provide information technology services for the department of public  
23 health and environment.".

24 Page 1, strike lines 107 through 111 and substitute "**HEALTH AND**  
25 **ENVIRONMENT TO ANALYZE INFORMATION PROVIDED BY**  
26 **SUPPLEMENTAL HEALTH-CARE STAFFING AGENCIES TO DETERMINE THE**  
27 **NEED FOR REGULATION OF STAFFING AGENCIES AND MAKING AN**  
28 **APPROPRIATION.**".

\*\*\* \* \* \* \*