

SB210_L.007

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB22-210 be amended as follows:

1 Amend reengrossed bill, page 3, strike lines 2 through 21.

2 Strike pages 4 and 5.

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

28 (II) "SUPPLEMENTAL HEALTH-CARE STAFFING AGENCY" DOES NOT
29 INCLUDE:

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

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

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

35 "(3) (a) NO LATER THAN OCTOBER 1, 2022, EACH SUPPLEMENTAL

1 HEALTH-CARE STAFFING AGENCY SHALL MAINTAIN DETAILED DATA
2 DESCRIBED IN SUBSECTION (3)(b) OF THIS SECTION. BY THE DEADLINES
3 ESTABLISHED IN THIS SUBSECTION (3)(a), EACH STAFFING AGENCY SHALL
4 PROVIDE REPORTS TO THE DEPARTMENT THAT CONTAIN THE INFORMATION
5 AND CERTIFICATIONS SET FORTH IN SUBSECTION (3)(b) OF THIS SECTION.
6 BEGINNING APRIL 30, 2023, AND CONTINUING EACH APRIL 30
7 THEREAFTER, A STAFFING AGENCY OPERATING IN THE STATE SHALL
8 PROVIDE A REPORT COVERING THE PERIOD BETWEEN OCTOBER 1 OF THE
9 PREVIOUS YEAR AND MARCH 31 OF THE CURRENT YEAR. FOR THE
10 REPORTING PERIOD BETWEEN APRIL 1 AND SEPTEMBER 30 OF THE
11 CURRENT YEAR, THE STAFFING AGENCY SHALL FILE A REPORT ANNUALLY,
12 BEGINNING OCTOBER 31, 2023, AND CONTINUING EACH OCTOBER 31
13 THEREAFTER."

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

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

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

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

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

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

20 Page 9, strike lines 26 and 27 and substitute "ANALYZING THE
21 INFORMATION PROVIDED BY THE SUPPLEMENTAL HEALTH-CARE STAFFING
22 AGENCIES AND DETERMINING THE NEED FOR REGULATION OF STAFFING
23 AGENCIES."

24 Page 10, strike lines 1 through 3.

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

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