

# HOUSE BILL 1263

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CF SB 458

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By: **Delegates Kramer, Arora, Carr, DeBoy, Dumais, Frick, Howard,  
McDonough, B. Robinson, Simmons, and Valderrama**

Introduced and read first time: February 10, 2012

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Senior Call-Check Service Program – Establishment**

3 FOR the purpose of establishing the Senior Call-Check Service Program; specifying  
4 that a subscriber who meets certain requirements is eligible for the Program;  
5 requiring the Public Service Commission to establish and maintain the  
6 Program; limiting the Program to certain telephone companies; specifying a  
7 sequence of telephone calls necessary to satisfy Program requirements;  
8 authorizing local law enforcement to perform certain acts in connection with the  
9 Program; requiring certain telephone companies to provide a certain service to  
10 certain subscribers free of charge; authorizing certain telephone companies to  
11 coordinate with certain entities that provide a certain service; authorizing the  
12 Commission to adjust a certain rate; immunizing certain Program participants  
13 from certain liability; requiring the Commission to consult with certain  
14 departments in adopting regulations to implement the Program; authorizing the  
15 Commission to limit subscriber eligibility based on income; defining certain  
16 terms; and generally relating to telephone service and the Senior Call-Check  
17 Service Program.

18 BY repealing and reenacting, without amendments,  
19 Article – Public Utilities  
20 Section 8-201(a)(1) and (2)  
21 Annotated Code of Maryland  
22 (2010 Replacement Volume and 2011 Supplement)

23 BY adding to  
24 Article – Public Utilities  
25 Section 8-207  
26 Annotated Code of Maryland  
27 (2010 Replacement Volume and 2011 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Public Utilities**

4 8–201.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Eligible subscriber” means an individual who is certified to a local  
7 telephone company by the Department of Human Resources as receiving:

8 (i) assistance under Title 5, Subtitle 3 of the Human Services  
9 Article;

10 (ii) assistance from the electric universal service program under  
11 § 7–512.1 of this article;

12 (iii) assistance from the Maryland Energy Assistance Program  
13 under Title 5, Subtitle 5A of the Human Services Article;

14 (iv) State–funded public assistance benefits; or

15 (v) Supplemental Security Income under Title XVI of the  
16 federal Social Security Act.

17 **8–207.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
19 MEANINGS INDICATED.

20 (2) “PROGRAM” MEANS THE SENIOR CALL–CHECK SERVICE  
21 PROGRAM.

22 (3) “SENIOR CALL–CHECK SERVICE” MEANS A TELEPHONE CALL  
23 MADE EACH DAY AT A REGULARLY SCHEDULED TIME BY A TELEPHONE  
24 COMPANY TO THE RESIDENCE OF AN ELIGIBLE SUBSCRIBER TO VERIFY THAT  
25 THE SUBSCRIBER IS ABLE TO ANSWER THE TELEPHONE.

26 (B) A RESIDENT OF THE STATE AT LEAST 65 YEARS OLD WHO MEETS  
27 ANY INCOME QUALIFICATIONS SPECIFIED BY THE COMMISSION UNDER  
28 SUBSECTION (F) OF THIS SECTION QUALIFIES FOR SENIOR CALL–CHECK  
29 SERVICE.

30 (C) (1) THE COMMISSION SHALL ESTABLISH AND MAINTAIN THE  
31 PROGRAM.

1           **(2) AT THE DIRECTION OF THE COMMISSION, A LOCAL**  
2 **TELEPHONE COMPANY WITH MORE THAN 10,000 SUBSCRIBERS SHALL OFFER TO**  
3 **EACH ELIGIBLE SUBSCRIBER SENIOR CALL-CHECK SERVICE THAT INCLUDES:**

4                   **(I) AN AUTOMATED OR LIVE TELEPHONE CALL AT A**  
5 **REGULARLY SCHEDULED TIME EACH DAY;**

6                   **(II) IF THE ELIGIBLE SUBSCRIBER DOES NOT ANSWER THE**  
7 **REGULARLY SCHEDULED CALL, AN ADDITIONAL AUTOMATED OR LIVE**  
8 **TELEPHONE CALL TO NOTIFY A RELATIVE WHOSE NAME HAS BEEN PROVIDED;**  
9 **AND**

10                   **(III) AN ADDITIONAL AUTOMATED OR LIVE TELEPHONE CALL**  
11 **TO LOCAL LAW ENFORCEMENT IF:**

12                           **1. NO RELATIVE HAS BEEN NAMED; OR**

13                           **2. THE RELATIVE WHOSE NAME HAS BEEN PROVIDED**  
14 **DOES NOT ANSWER THE NOTIFICATION CALL.**

15                   **(3) LOCAL LAW ENFORCEMENT MAY REPORT TO THE RESIDENCE**  
16 **OF AN ELIGIBLE SUBSCRIBER OR TAKE OTHER ACTION ON NOTIFICATION OF**  
17 **THE UNANSWERED NOTIFICATION CALL.**

18           **(D) (1) A TELEPHONE COMPANY MAY NOT ASSESS A CHARGE AGAINST**  
19 **AN ELIGIBLE SUBSCRIBER FOR SENIOR CALL-CHECK SERVICE.**

20                   **(2) A TELEPHONE COMPANY MAY COORDINATE WITH ANOTHER**  
21 **ENTITY THAT PROVIDES SENIOR CALL-CHECK SERVICE TO AN ELIGIBLE**  
22 **SUBSCRIBER TO MINIMIZE COST TO THE TELEPHONE COMPANY.**

23                   **(3) THE COMMISSION MAY ADJUST AN APPROPRIATE SERVICE**  
24 **RATE TO ACCOUNT FOR INCREASED COST TO THE TELEPHONE COMPANY.**

25           **(E) ALL PROGRAM PARTICIPANTS, INCLUDING THE COMMISSION, A**  
26 **TELEPHONE COMPANY, AND A VOLUNTEER-BASED ORGANIZATION, SHALL HAVE**  
27 **IMMUNITY FROM LIABILITY FOR THE PERFORMANCE OR NONPERFORMANCE OF**  
28 **SENIOR CALL-CHECK SERVICE.**

29           **(F) (1) IN CONSULTATION WITH THE DEPARTMENT OF AGING AND**  
30 **THE DEPARTMENT OF STATE POLICE, THE COMMISSION SHALL ADOPT**  
31 **REGULATIONS TO IMPLEMENT THE PROGRAM.**

1                   **(2) THE COMMISSION MAY ADOPT REGULATIONS TO LIMIT**  
2 **SUBSCRIBER ELIGIBILITY TO INDIVIDUALS MEETING THE DEFINITION OF AN**  
3 **“ELIGIBLE SUBSCRIBER” UNDER § 8-201(A) OF THIS SUBTITLE.**

4                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2012.