



Maryland FAML I Registration Open and Guidance Published

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Recently, Governor Wes Moore announced that registration for Maryland's Family and Medical Leave Insurance ("FAML I") program is now open, and the Maryland FAML I Division (the "Division") published guidance assisting covered employers with several important topics, including:

- How to register an account with FAML I;
- Information about making contributions and submitting quarterly wage and hour reports ("QWHRs"); and
- Preparing to use an equivalent private insurance plan ("EPIP").

■ Background

Maryland passed the Time to Care Act of 2022 on April 11, 2022, which generally requires covered employers to provide up to 12 weeks (an employee may receive up to 24 total weeks of paid family and medical leave benefits in a single application year for medical leave followed by bonding leave or vice versa) of paid family and medical leave benefits within an application year for certain permitted reasons. Contributions to the state plan of 0.9% of an employee's wages are set to begin on January 1, 2027, with benefits set to begin no later than January 3, 2028.

Employers can apply to the Division to utilize an EPIP instead of the state plan. Employers intending to apply for an EPIP can file a Declaration of Intent ("DOI") between September 1, 2026, and November 15, 2026. A timely submitted DOI will exempt the employer from remitting contributions to the state plan during the initial contribution period.

Registering with FAML I

All employers with at least one employee in Maryland must register with FAML I and create an account. Among other things, employers will use their FAML I account to perform the following tasks (as applicable):

- File QWHRs;
- Remit contributions to the state plan;
- Perform certain functions relating to EPIP management and administration; and
- Authorize access to a third-party administrator (“TPA”) or other service provider to assist with EPIP administration.

To initially create a FAML I account, an employer must designate an “Authorized Officer” who will need to provide certain information, including:

- An email address and phone number (and existing Login.gov account, if applicable);
- The Authorized Officer’s Social Security number and driver’s license or state ID number (to verify identity);
- The employer’s Employer Identification Number, legal name, NAICS code, physical business address (and mailing address, if different), and business email address (separate from the Authorized Officer’s email address); and
- The employer’s registered agent’s name and contact information.

Once an employer creates their FAML I account, the employer can invite team members (other than the Authorized Officer) to complete certain tasks (such as submitting QWHRs). If an employer uses a TPA to assist with administering their EPIP, the employer can also grant the TPA access to their FAML I account.

FAML I has published a [step-by-step guide](#) to assist employers with registering for and creating a FAML I account.

■ Submitting QWHRs and Remitting Contributions

Employers participating in the state plan and those using an EPIP must submit QWHRs to FAML I. FAML I uses these reports to determine an employee’s eligibility for benefits and benefit amounts, calculate required contributions to the state plan, and determine whether an employer is eligible for a lower contribution amount (based on the employer’s size).

QWHRs and contributions are due on the same day and are due by the end of the month following the end of the most recent calendar quarter. FAML I has published a [Quarterly Wage and Hour Report File Guide](#) to help employers understand the accepted file types, formatting, the information required to be filed, and filing instructions. The first QWHR is due by April 30, 2027.

The initial contribution rate is effective on wages paid from January 1, 2027, through December 31, 2027, and has been set at 0.9% of an employee’s wages up to the Social Security wage cap.

Beginning in 2028, the contribution rate is subject to change annually but cannot exceed 1.2% of an employee’s wages. Small employers are only required to remit half of the required contributions (0.45% beginning January 2027). Small employers are those with fewer than 15 employees, across Maryland and other states. For 2027, employer size will be calculated quarterly based on the QWHRs. Beginning in 2028, employer size will be based on the average employee count across the previous four quarters.

Contributions must be made for all “qualified employment” performed by employees whose work is localized in Maryland.

Employers must deduct contributions from the employee's paycheck based on the regular payroll cycle. Employers cannot deduct employee contributions after the pay period ends.

If an employer submits a DOI, contributions must still be collected beginning on January 1, 2027; however, instead of remitting contributions to the state, the employer must deposit contributions into an escrow account. If the employer's EPIP application is denied, these contributions will then be remitted to the state plan. If the EPIP application is approved for a commercially insured plan, the employer must return these contributions to employees who had their paychecks reduced to cover the contributions.

■ Preparing to use an EPIP

Once employers complete registration with FAMLl, they are automatically enrolled in the state plan by default. However, employers may use an EPIP instead of participating in the state plan. The EPIP can either be insured by an approved commercial insurer in Maryland or self-insured.

If an employer intends to participate via an EPIP, they should plan to submit a DOI between September 1, 2026, and November 15, 2026, to avoid the requirement to remit required contributions to the state plan beginning January 1, 2027.

To complete the EPIP application process, an employer must:

- Register with FAMLl;
- Complete and upload a [Proof of Private Plan Consultation](#) to their FAMLl account;
- Submit the DOI and await the Division's decision;
- If the DOI is accepted, required contributions should be collected and deposited in the escrow account beginning January 1, 2027; and
- File the EPIP application, which should be available in Summer 2027, with a filing deadline of October 1, 2027.

Once the Division approves an employer's EPIP, the employer should plan to remain in the EPIP for at least one year. After one year, the employer can reapply for the EPIP or switch to the state plan. Employers must resubmit EPIP applications annually, within 90 days of the expiration date of the current EPIP's approval.

■ Employer Action

Employers should continue to prepare for FAMLl implementation and consider the following:

- Registering and creating an account with FAMLl. If an employer already has a Login.gov account, link this account with the employer's FAMLl account.
- Designating an authorized officer and determining which team members should be invited to the account.
- Reviewing the QWHR guide and preparing to file the first QWHR by April 30, 2027.
- Preparing to begin making contributions, either to the state plan or to an escrow account (if a DOI is submitted), by January 1, 2027.



- If planning to use a commercially insured EPIP:
 - Reviewing insurance options;
 - Collecting a completed Proof of Private Plan Consultation; and
 - Submitting a DOI by November 15, 2026, and the EPIP application by October 1, 2027.