Maryland DEPARTMENT OF LABOR | Maryland FAMLI FAMILY AND MEDICAL LEAVE INSURANCE

Understand FAMLI Plans

Get to know your options for Family and Medical Leave Insurance (FAMLI)

Starting January 1, 2028, eligible employees will be able to take up to 12 weeks of paid, job-protected leave. Employees will be able to take time off to welcome a new child, tend to a serious health condition, care for a loved one, or manage urgent family needs related to deployment—while still being paid up to $1,000 per week.

FAMLI is an insurance program. Employers will remit contributions into a fund administered by the State on a quarterly basis. Alternatively, employers may apply to use a private plan (commercial or self-insured plan). When an employee needs to take leave, either the State Plan or a private plan will pay the employee a portion of their salary.

Employers can choose to use a private plan instead of the State Plan

A private plan is a FAMLI Division-approved alternative to the State Plan. There are two types of private plans: commercial plans and self-insured plans. Private plans must provide the same level of benefits and service as the State Plan, or better. They also must be approved by the FAMLI Division.

All employers, regardless of plan type, must register at paidleave.maryland.gov.

After registration, all employers will be automatically enrolled in the State Plan. Employers who intend to apply for a private plan in 2027 and wish to be exempt from contributions during the seeding period must submit a Declaration of Intent (DOI) between September 1-November 15, 2026. Private plan applications will be available in summer 2027 and will be due October 1, 2027.

Only an Authorized Officer can register and submit a DOI. An Authorized Officer is a person who is legally permitted to act in an official capacity on behalf of an employer. This can include roles like owner or partner, executive director, CEO, CFO, COO, president, secretary, household employer, or another designated individual with equivalent legal authority as specified by the employer's bylaws.

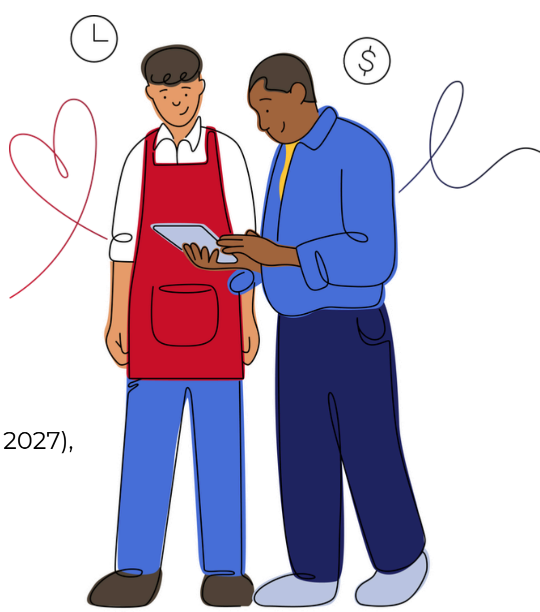
Employers may have more than one Authorized Officer, but only one of those people can complete the registration. After that, they will be able to invite other team members including other Authorized Officers, and grant Third-Party Agents (TPAs) access to manage FAMLI tasks.

Commitment and switching plans

If you choose a private plan, you must stay in that plan for at least one year. After one year, you can apply to switch to a different private plan or join the State Plan. You can also leave the State Plan and join a private plan, as long as the change does not result in a lapse in coverage.

All approved plan changes take effect at the beginning of the next quarter, and there can be no gap in benefits coverage.

Note: if you submit a DOI and do not make contributions during the period (Jan-Dec 2027), leaving your private plan to join the State Plan may subject you to penalties and fees.



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Compare FAMLI plans

Category	State Plan	Self-insured plan	Commercial plan
Register with FAMLI at paidleave.maryland.gov	Required	Required	Required
Contribution rate	Set annually by MD Labor. Contribution rate for January 1, 2027-December 31, 2027 is 0.9% of wages up to the Social Security cap	Set by employer, total rate can be higher than State Plan but employees cannot be charged more than the State Plan	Set by commercial insurer, total rate can be higher than State Plan but employees cannot be charged more than the State Plan
Available to all employers	Yes	No, only employers with 50 or more employees, unless a FAMLI-compliant plan in place by July 31, 2026.	Yes
File Declaration of Intent (Sept. 1-Nov. 15, 2026)		Optional. But required to waive contributions in 2027	Optional. But required to waive contributions in 2027
Notify workers ahead of withholding and benefits	Required	Required	Required
File Quarterly Wage and Hour Reports starting April 2027	Required	Required	Required
Remit quarterly contributions	Required	Exempt if DOI is submitted	Exempt if DOI is submitted
Hold contributions in escrow account until private plan is approved		Required*	Required*
Purchase approved commercial plan (summer 2027)			Required
Design self-insured plan that incorporates all requirements (details available October 2026)		Required	
File application and pay fee (by Oct. 1, 2027)		Required	Required
Provide job protection	Required	Required	Required
Submit quarterly claims data to FAMLI		Required	Required
Claims processor	FAMLI Division	Employer or TPA	Commercial insurer

*There is a statutory exception to this requirement for certain governmental employers.