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**To:** Members of The House Judiciary Committee

**From:** Elena Sallitto, Member; Morris Klein, Chair; MSBA Elder Law & Disability Rights Section

**Date:** February 12, 2020

**Subject:** **Bill # HB304** – Criminal Law-Consumer Protection-Unfair, Abusive or Deceptive trade Practices – Exploitation of Vulnerable Adults

**Position:** **In Support, as amended (see below)**

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The Maryland State Bar Association Elder Law and Disability Rights Section **SUPPORTS HB304 with the friendly amendment offered by the Vulnerable Adult Exploitation Task Force.**

The Elder Law and Disability Rights Section of the MSBA is comprised of over 700 attorneys working with vulnerable adults in every jurisdiction in the State. Over the years, we have witnessed a steady increase in the number of cases of financial exploitation perpetrated on our most vulnerable citizens. In a 40-page report issued in 2009, The MetLife Mature Market Institute reported that financial abuse of vulnerable adults exceeds $2.6 billion annually, often stripping the victim of their entire life savings. Given their advanced age or compromised health, these victims are unable to recover from their devastating losses and become reliant on the State to provide their health needs through means tested public assistance programs such as Medicaid Long-Term Care, at huge expense to the State.

States throughout the country are looking for effective ways to stem this growing epidemic. Currently, the Maryland State Bar Association has convened a task force of Elder Law and Estate planning attorneys to review the laws currently on the books and identify ways to strengthen our ability to stop these perpetrators and try to make their victims whole. HB304, as amended, is an excellent step forward.

The amendment offered by the Vulnerable Adult Exploitation Task Force states:

(xxiv) Section 7-304 or §8-801 of the Criminal Law Article. **A CONVICTION FOR AN OFFENSE UNDER §8-801 OF THE CRIMINAL LAW ARTICLE IS NOT A PREREQUISITE FOR THE MAINTENANCE OF AN ACTION FOR A VIOLATION OF §8-801.**

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We support the amendment to more clearly reflect the intentions behind this laudable bill.

Please contact Elena Sallitto, 410-268-9246, elena@Stavelylaw.com; or Morris Klein, 301-652-4462, morrisklein@morrisklein.com if you have any questions.