



BERNARD C. "JACK" YOUNG
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 304

February 12, 2020

TO: Members of the House Economic Matters Committee
FROM: Nicholas Blendy, Deputy Director of Government Relations
RE: House Bill 304 – Consumer Protection – Unfair, Abusive, or Deceptive Trade Practices – Exploitation of Vulnerable Adults

POSITION: SUPPORT

Chair Davis, Vice-Chair Dumais, and members of the committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 304.

The Baltimore City Health Department's Division of Aging and CARE Services houses the Long-Term Care Ombudsman Program, in which certified staff advocate on behalf of long-term care residents, usually residing in nursing homes and assisted living facilities in Baltimore City. The BCA support HB 304 because it expands civil remedies through the application of the Consumer Protection Act.

The Long-Term Care Ombudsman office receives frequent complaints of financial exploitation of older and/or vulnerable adults residing in long-term care. These individuals are increasingly trapped in a cruel web of care providers, health care professionals, who purport to have their best interests at heart, but instead, act quickly to take control of their finances, medical care and ultimately their freedom. They typically assign themselves as the older adult's representative payee, which allows them complete control over the individual's finances and typically, they make financial decisions without the older adult's consent.

The BCA sees these trade practices, which result in a vulnerable adult's loss of property, as exactly the kind of unscrupulous practices contemplated by HB 304. Moreover, HB 304 allows cases to be prosecuted in a civil context, alleviating the need to prove the

*Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>*

higher burden of proof in a criminal case. This bill provides wider recourse, and ultimately, greater protection, for older adults in Baltimore City.

For the foregoing reasons, we respectfully request a **favorable** report on House Bill 304.