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The Honorable Shane Pendergrass
Chair, House Health and Government Operations Committee
Room 241 House Office Building
Annapolis, MD 21401

March 5, 2020

Dear Chair Pendergrass:

I am an attorney in private practice in Silver Spring, Maryland, and I practice Elder Law. I am a Member of the Maryland State Bar Association's Section Council and also the Secretary of the Maryland/DC Chapter of the National Academy of Elder Law Attorneys. I write to ask for a favorable report for HB 1163, Home and Community-Based Waiver Services – Alterations and Task Force.

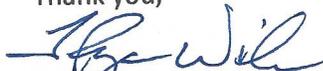
Medicaid pays for the long-term care needs of many Marylanders under two different programs: skilled nursing facility care and a home-and-community-based waiver program. There are a limited number of slots for the waiver program. The bill requires the Maryland Department of Health to increase the number of home-and-community-based slots to 7,500, which is the same number of slots it was required to authorize at the outset of the waiver program.

Currently, there are approximately 21,000 Marylanders waiting for home-and-community-based care on the list. A person going on the list today can expect an 8-year wait before being served under the waiver. Many of these individuals, because they don't have adequate savings to continue paying out of pocket, go into a nursing facility to receive care. Nursing facility care is more expensive to the State than community-based services. The State's per-person share of nursing facility care is \$39,500, whereas the cost to the state of community-based care is less than half of that – only \$14,137. That represents a savings to the State of \$25,363 for each individual who is receives care in the community instead of a nursing facility. The fiscal estimate does not address these savings. More importantly, this is a moral issue; it is just wrong to force our older residents into a nursing home when they would be more easily and better served in their own homes. This is the right thing to do.

HB 1163 also includes a multi-disciplinary task force led by legislators to address Maryland's long-term needs for caring for and protecting its aging population. According to the Maryland State Plan in Aging, which relied on U.S. Census data, persons age 60 and over will be more than one quarter (25 percent) of the State's total population by 2040, and those ages 80-84 will increase by 136 percent. Maryland needs to a comprehensive plan to address the needs of this vulnerable population that is increasing rapidly as a percentage of Maryland's total population. This bill's task force will address those needs.

As a member of NAELA and the MSBA, I will be happy to work with my colleagues, the Committee, committee counsel, and the Department to help craft a solution to better serve Maryland's older residents. I ask again for a favorable report on the bill.

Thank you,



T. Ryan Wilson
Attorney at Law