

To: Chair and Members of the Senate Judicial Proceedings Committee

From: Maryland State Bar Association Elder Law and Disability Rights Section

Date: January 25, 2022

Subject: SB 28: Home and Community-Based Services Waiver - Participation and Applications

Position: Favorable

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The Elder Law and Disability Rights Section of the Maryland State Bar Association supports SB 28: Home and Community-Based Services Waiver - Participation and Applications

The Elder Law and Disability Rights Section of the Maryland State Bar Association is an attorney organization whose 579 members represent primarily senior and disabled adults.

The legislation requires utilization of all of the 7,500 slots originally legislated for the waiver program and increases the number of slots to be offered each month to individuals on the waiting list.

SB 28 is sorely needed for the following reasons:

- Marylanders in need of help with their activities of daily living dearly want to receive such care in the community. Yet, the Medicaid program for such services has a waiting list of over 20,000 persons resulting in a delay of up to 8 years to become eligible. People on the waiting list either die or resort to care in a nursing home instead.
- Maryland prides itself in progressive health care policies, and this legislation corrects one area where Maryland lags behind other states. Maryland's home and community based program has one of the largest waiting lists in the country. A survey by the Kaiser Family Foundation based on the most recent available information found that only Texas, Florida, Ohio, and Louisiana had bigger wait lists than Maryland. (<https://www.kff.org/report-section/key-questions-about-medicaid-home-and-community-based-services-waiver-waiting-lists-appendix-tables/>).
- The cost of home and community based services is less expensive per person than nursing home care.

We urge your Committee to give a favorable report to this legislation.

/s/ Morris Klein, Section Public Policy Committee