



Official Testimony

HB 1034

State Board of Examiners of Nursing Home Administrators – Renaming and Licensure of Assisted Living Managers

Position: **FAVORABLE**

Chair Pendergrass and Members of the Finance Committee,

My name is Claudia Balog, I am the Lead Researcher with 1199SEIU United Healthcare Workers East. We are the largest healthcare workers union in the nation and represent thousands of healthcare workers in long-term care facilities, including Assisted Living Facilities, in Maryland. Our union supports HB 1034 and urges the Committee to issue a favorable report.

Maryland's healthcare industry is amid a staffing crisis that has been exacerbated by the COVID-19 pandemic. Sadly, the workers who provide care in congregate care settings such as Assisted Living Facilities are no exception. We do not envision any improvements to the staffing outlook in Long-term care without Maryland first taking steps to ensure accountability in this industry.

Therefore, we support the efforts of the Vice Chair to address quality concerns in our State's Assisted Living Facilities by increasing the accountability of the managers who are operating these facilities. Fortifying the safety of Assisted Living Facilities by licensing their managers and placing their oversight under the purview of a State Board of Examiners makes a great deal of sense.

According to the Office of Healthcare Quality, as of December 1, 2021, there were nearly 1,700 licensed Assisted Living Facilities operating throughout Maryland. Over 1,000 of these facilities have 9 beds or fewer, and nearly 500 of these facilities participate in our Medicaid waiver program.<sup>1</sup>

Unlike Skilled Nursing Facilities, which operate under a host of federal regulations that can be enforced by our Maryland Office of Healthcare Quality, Assisted Living Facilities are solely

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<sup>1</sup> See Assisted Living Program licensee directory at:  
<https://app.smartsheet.com/b/publish?EQBCT=08adff96ac8c4d18a97bf909162a2250>

regulated by the State. We believe that Maryland must step in to ensure that they are operating safely on behalf of the families who depend on them.

The changes set by this bill reflect national trends and states across the country are taking action. Currently 15 states (including Virginia and Washington, DC) require Assisted Living Facility Managers to take either a state exam, the national exam (or both), and be licensed, regulated, and disciplined by their respective boards of long-term care.<sup>2</sup>

Acuity levels in Assisted Living Facilities are rising across the country, with residents increasingly needing complex medication management. Meanwhile, Maryland's acuity levels in ALFs are far higher than those in other states and national averages. The 2014 National Study of Long-Term Care Providers (via the National Center for Health Statistics) found that 53% of our Assisted Living Facility residents suffered with Alzheimer's or other dementia-related conditions. This is the highest percentage in the country.<sup>3</sup> It is important to place these numbers in the context of our State's Total Cost of Care Model.

Maryland's Total Cost of Care Model, which builds from our All-Payer Model, reflects our commitment to reducing Medicare hospital spending and improving the quality of hospital-based care. We are unique in the country precisely because we value the importance of what happens to a patient after they are discharged from an acute care setting. Patients must be released into care settings where they are safe, where their chronic conditions are well-managed, and ideally, they are not readmitted to the hospital. For our Total Cost of Care Model to be a success, we must have all Long-Term Care settings – including Assisted Living Facilities - operating under the highest standards of quality. With that context in mind, 1199SEIU believes it is now long-past the time for the State to recognize the importance of Assisted Living Facilities to our state's healthcare system. Taking firm steps on accountability in this industry fortifies our entire healthcare system.

We, therefore, urge this Committee to give HB 1034 a favorable report.

Sincerely,

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<sup>2</sup> National Center for Assisted Living 2019 Assisted Living State Regulatory Review

<sup>3</sup> See page 26: [https://www.cdc.gov/nchs/data/nsltcp/2017\\_rcc\\_maps.pdf](https://www.cdc.gov/nchs/data/nsltcp/2017_rcc_maps.pdf)