



**TESTIMONY BEFORE THE  
HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE**

February 24, 2022

House Bill 1034: State Board of Examiners of Nursing Home Administrators -  
Renaming and Licensure of Assisted Living Managers

**POSITION: FAVORABLE WITH AMENDMENTS**

On behalf of the members of the Health Facilities Association of Maryland (HFAM), we appreciate the opportunity to express our support with amendments for House Bill 1034. HFAM represents over 170 skilled nursing centers and assisted living communities in Maryland, as well as nearly 80 associate businesses that offer products and services to healthcare providers. Our members provide services and employ individuals in nearly every jurisdiction of the state.

House Bill 1034 renames the State Board of Examiners of Nursing Home Administrators to be the State Board of Long-Term Care Administrators and establishes a licensing and regulatory system for assisted living managers under the Board, and generally relates to the licensing of assisted living managers and the State Board of Long-Term Care Administrators.

We commend the sponsors for bringing this legislation forward and we highly value the work and contributions of Assisted Living Managers to the long-term care sector. We also commend the leaders of our colleague associations and other stakeholders in our work together to offer comments and amendments in support of the passage of this important legislation.

Now is the time to further professionalize, support, and organize assisted living managers in the way we have licensed nursing home administrators for decades and with the oversight of a professional board and expanded rules of professional conduct mirroring those that have long been in place for licensed nursing home administrators.

As we all have seen, the pressures of the pandemic dramatically worsened the healthcare workforce shortage – from nursing home administrators to nursing assistants to supporting team members, our sector and others are struggling to find enough staff. And, the most recent surge proved to us yet again that there is no individual hospital, nursing home, or physician's office workforce – there is one singular healthcare workforce in Maryland. It is shorthanded, and we are all drawing upon it.

Perhaps now more than ever, we need to support dedicated and quality-focused assisted living managers and licensed nursing home administrators leading teams who provide quality long-term and post-acute care to Marylanders in need. I speak from personal experience when I say they are a godsend to families. At this critical time, we must grow their ranks – people working in healthcare are leaving the profession and retiring, just as demand will continue to increase in coming years.

Assisted living managers and licensed nursing home administrators and their respective settings have much in common. For example, the majority of people cared for in both settings have some form of

dementia. However, these settings have many distinct differences including patient and resident acuity, the required level of medical staffing, the licensure and regulatory approach, and very different payor mixes.

House Bill 1034 was clearly drafted thoughtfully and with diligence. On the consumer representative board slot, we are highly appreciative and think it is important that the representative must have recent experience in the sector as a consumer.

**We support the amendments proposed and introduced by Vice-Chair Peña-Melnyk's office:**

- Equal representation on the Board
  - 5 Assisted Living Managers and 5 Nursing Home Administrators
- "Instead of as determined and approved as the Board," reference back to the requirements under Section 19-1807 of the Health General Article for education and training requirements as well as the grandfathering provision for all assisted living managers.
- Implementation timeline that requires the Board to report back to the Committee that they have sufficient staffing and resources before accepting applications.
- Ensure the Board has a record of who is serving as representative payees to clients in smaller facilities.
- The Office of the Attorney General currently has this information.

It is critically important that the reformed board maintain equal representation among assisted living managers and licensed nursing home administrators, as outlined in the above amendment. **We offer the additional amendments (which, in communication with Vice-Chair Peña-Melnyk, were intended to be offered in the package):**

- Page 2: Line 24, the definition of "FAMILY MEMBER" should include "A DOMESTIC PARTNER."
- Page 8: Delete "OR" on line 23 and delete entirely line 24.
- Page 22: Delete "OR" on line 1 and delete entirely line 2.

Relative to the amendments on pages 8 and 22, we believe that due process is important. It is wrong that under the current language, the new board would have the right to issue a default order without ensuring a full review of facts and evidence. In this legislation and in other legislation we have worked on together that concerns returning citizens, we value individual rights and due process. The same should be the case in this legislation.

Again, we commend the sponsors for bringing forth this important and timely legislation. **With our proposed amendments, we request a favorable report from the Committee on House Bill 1034.**

*Submitted by:*

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