

Testimony of the Alzheimer's Association Greater Maryland and National Capital Area Chapters
HB 1034 - State Board of Examiners of Nursing Home Administrators - Renaming and Licensure of Assisted Living Managers
Position: Favorable

Chair Pendergrass and Vice-Chair Pena-Melnyk,

My name is Eric Colchamiro, and I am Director of Government Affairs for the Alzheimer's Association in Maryland. Thank you for the opportunity to be before you here today on House Bill 1034, legislation which renames the State Board of Examiners of Nursing Home Administrators to be the State Board of Long-Term Care Administrators; establishes a licensing and regulatory system for assisted living managers under the Board; requires, as of October 1, 2024, an individual to be licensed by the Board before practicing as an assisted living manager; provides that a license expires two years from its effective date unless renewed for an additional 2-year term; and authorizes the Board to impose certain civil fines under certain circumstances.

I want to thank the Vice Chair for her leadership on this issue, and moving all of the stakeholders to the table. This bill is important; as of February 10, 2022, there are 1699 assisted living facilities (AL), licensed to care for 25,391 Marylanders. According to Alzheimer's Association statistics, roughly 42 percent of AL residents have Alzheimer's or another form of dementia. And this is an industry, as we all know, which has been disproportionately impacted by the pandemic; in terms of ongoing COVID-19 regulations, costs to facilities and not enough reimbursement, workforce concerns, and most importantly -- COVID-19 cases and lives lost.

This bill sets an improved standard for assisted living managers, who serve as essential administrators at AL facilities, yet have not had updated guidelines since 2004. It shifts the responsibility of credentialing them to the Board of Long-Term Care Administrators. Perhaps most importantly, it applies to all facilities; currently COMAR 10.07.14.16 exempts managers of programs with five or fewer beds from training on issues like patient safety, medication management, and dementia.

This bill, and the improved standard it provides, is necessary.

- While AL regulations are currently in place, an update is well over a decade overdue.
- While AL facilities are supposed to be inspected annually, the Office of Healthcare Quality is still unable to do so, despite its multi-year staffing plan to increase their surveyor task force;
- While we have strong national quality standards and data for nursing homes and home health agencies, and Medicare and Medicaid certified nursing homes and home health agencies are required to undergo rigorous state inspections annually with results readily accessible to consumers.
 - State licensing standards for assisted living vary greatly in the scope of review and authority to intervene.
 - In particular, the 76 percent of our AL facilities with nine or fewer beds are 1) less likely to be subject to routine OHCQ inspections; 2) not listed on MHCC's healthcare quality website; and 3) do not have broadly available influenza vaccination rates for their health care workers;
- Quality data about our state's 1699 assisted living facilities, to quote the Maryland Health Care Commission, is sparse.

The Alzheimer's Association is proud to have worked collaboratively with Maryland's AL industry over many years. While there is an average of over 100 closures each year of AL facilities, we are pleased that despite the pandemic, this industry continues to grow and residents have access to care. Yet there are structural AL issues which we need to address, and a care standard that can and should be elevated, particularly in light of the devastating COVID-19 pandemic.

I again thank the Vice Chair for introducing this legislation which takes an important step toward elevating that care standard, and I urge a favorable report.