

JACK BAILEY  
Legislative District 29  
Calvert and St. Mary's Counties

Budget & Taxation Committee



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

Annapolis Office  
James Senate Office Building  
11 Bladen Street, Room 401  
Annapolis, Maryland 21401  
410-841-3673 · 301-858-3673  
800-492-7122 Ext. 3673  
Jack.Bailey@senate.state.md.us

District Office  
Dorsey Professional Park  
23680 Three Notch Road, Unit 101  
Hollywood, Maryland 20636  
240-309-4238

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**Senate Bill 974 - State-Owned Nursing Homes - Deficiencies, Citations, and Fines - Contractor Reporting Requirement**

Dear Chair Griffith and Members of the Committee:

I am writing to introduce Senate Bill 974. This emergency legislation would require increased reporting of deficiencies cited and enforcement actions imposed at State-owned nursing facilities.

I know that you are aware of recent reports of mistreatment of residents at Charlotte Hall Veterans Home (CHVH), which is in my district. Earlier this year, the facility was given a one-star rating and an abuse warning by the Centers for Medicare and Medicaid Services (CMS). After being informed by the Administration of what they had discovered was occurring at CHVH, I personally read the reports made by CMS. In addition to the mistreatment of residents observed in their review, I also learned that the facility has been fined multiple times in 2021 and 2022.

I am incredibly disappointed not only at how our veterans were treated, but also that these deficiencies could be serious enough to result in fines while the General Assembly was left unaware of these ongoing issues and, therefore, not able to fully carry out our duty of oversight. During my time in the Senate, I have tried to work in partnership with the management of CHVH to ensure that the needs of our veterans have been met. You may recall that two years ago, funding was included in the budget for an ambulance solely to serve the residents of CHVH. Despite these efforts to support whatever resources needed to serve our veterans residing at CHVH, I was never informed of any problems that were occurring. This is unacceptable, and Senate Bill 974 seeks to ensure that cannot happen again.

This bill therefore creates three reporting requirements for contractors operating State-owned nursing facilities. The first is to immediately notify the Governor, the responsible agency, the committees of jurisdiction, and the legislators representing the facility of all deficiencies cited by CMS or the Office of Health Care Quality (OHCQ), and all enforcement actions imposed by CMS or OHCQ. Then, within 30 days of receiving that notice, the contractor must provide the Statement of Deficiencies, the Plan of Correction, and all letters from CMS or OHCQ relating to survey activities. Finally, the Department of Health shall provide an annual report on all federal and State survey activities conducted at the facility, and all federal and State enforcement actions imposed on the facility.

Senate Bill 974 is not intended to be a substitute for action to fix what went wrong at CHVH; I am confident that the Administration and Department of Veterans Affairs are addressing the immediate need for reform as quickly as possible. However, I believe it is necessary to ensure that major problems such as these cannot be swept under the rug or kept from the oversight of the General Assembly. While there is currently only one State-owned nursing facility, the bill is broadly drafted to ensure that any future facilities would be covered by its provisions.

I respectfully request a favorable report on Senate Bill 974. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Bailey', written over a horizontal line.  
Senator Jack Bailey