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**HB 18 Maryland General and Limited Power of Attorney Act – Assistance With
Governmental Benefits and Programs
House Judiciary
January 19, 2023
Support**

Good afternoon Chairman Clippinger and members of the House Judiciary Committee. I am Tammy Bresnahan. I am the Senior Director of Advocacy for AARP MD. AARP MD supports HB 18 Maryland General and Limited Power of Attorney Act – Assistance With Governmental Benefits and Programs. We thank Delegate Hill for introducing HB 18.

HB 18 amends the “Maryland Statutory Form Personal Financial Power of Attorney” and the “Maryland Statutory Form Limited Power of Attorney” to include an authorization on each statutory form for the agent to perform the acts necessary to enable the principal to qualify for a benefit or program, including obtaining personal and financial records and, to the extent specifically authorized, to transfer or gift the principal’s property. The authorization is included under provisions regarding benefits from governmental programs or civil or military service, “including any benefit, program, or assistance provided under a statute or regulation including Social Security, Medicare, and Medicaid.”

AARP believes policymakers should help expand the use of qualified non-attorney advocates. Policymakers should encourage less restrictive alternatives to guardianship when appropriate. These alternatives can include limited guardianship, powers of attorney, supported decision-making (Maryland passed last session), the Social Security Administration’s representative payee program, powers of attorney, trusts, or a combination of these. Like others we hope that the person appointed is trustworthy and does not abuse his/her authority.

For these reasons, AARP MD supports HB 18 and ask the Committee to issue a favorable report. If you have further questions, please contact me at tbresnahan@aarp.org or by calling 410-302-8451.

