

Senate Budget and Taxation Committee
Senate Bill 328 Funding for Wages and Benefits for Nursing Home Workers
(Nursing Home Staffing Crisis Funding Act of 2024)
January 24, 2024

Position: Support

Thank you, Chair Guzzone and Committee Members, for the opportunity to write in support of Senate Bill 328, the Nursing Home Staffing Crisis Funding Act of 2024. Disability Rights Maryland (DRM) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be integrated in their communities, live independently, and access high-quality, affordable healthcare.

Nearly one-quarter of Maryland's nursing homes have been found by the Office of Health Care Quality to have serious deficiencies that caused immediate jeopardy to resident health or safety.¹ Recent incidents include neglect that led to a stage 4 pressure ulcer² – a life-threatening infection that reaches deep into muscle, ligaments, or bones – and permitting elopement of a resident with dementia onto a road with six lanes of traffic.³ These deficiencies do not include the 1,786 complaints in Fiscal Year 2021 that went uninvestigated by the Office of Health Care Quality.⁴

DRM regularly receives complaints from nursing home residents about being left on bed pans or in soiled garments for hours, long wait times for pain medication, and failure to receive prescribed physical therapy and other necessary services. Staffing shortages are resulting in serious injury and even death of residents. DRM is investigating the death of a nursing facility resident who passed away from an infected stage 4 pressure ulcer, which was the result of the lack of staff to rotate the resident hourly as ordered. People with disabilities deserve a care system that promotes their dignity and safety, and that provides the medically necessary care they are entitled to.

Many of the deficient nursing homes are understaffed, having fewer nurse hours per resident than our statewide average of 3.9 hours per resident per day.⁵ Sufficient staffing would solve many common and serious complaints about quality of care in Maryland's nursing homes. Senate Bill

¹ Nursing Home Inspect, ProPublica, <https://projects.propublica.org/nursing-homes/state/MD/> (last accessed 1/23/2024).

² Statement of Deficiencies for Provider No. 215321, Department of Health and Human Services, Centers for Medicare & Medicaid Services (Survey Date 08/14/2023), <https://www.medicare.gov/care-compare/inspections/pdf/nursing-home/215321/health/complaint?date=2023-08-14>.

³ Statement of Deficiencies for Provider No. 215092, Department of Health and Human Services, Centers for Medicare & Medicaid Services (Survey Date 12/07/2022), <https://www.medicare.gov/care-compare/inspections/pdf/nursing-home/215092/health/complaint?date=2022-12-07>.

⁴ Annual Report and Staffing Analysis, Fiscal Year 2021, Maryland Department of Health Office of Health Care Quality, p. 13, https://dlslibrary.state.md.us/publications/Exec/MDH/OHCQ/HG19-308%28b%29%284%29_2021.pdf. Later data is not yet available. See OHCQ Reports, <https://health.maryland.gov/ohcq/Pages/Reports.aspx>.

⁵ Nursing Home Inspect, ProPublica, <https://projects.propublica.org/nursing-homes/state/MD/> (last accessed 1/23/2024).

328 is a crucial step forward in retaining and recruiting nursing home staff and preventing further harm towards Marylanders with disabilities.

For these reasons, DRM strongly supports Senate Bill 328 and urges a favorable report.

Respectfully,

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