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Maryland Senate Finance Committee – Bill Hearing
Thursday, March 7, 2024 1:00 PM
Written Testimony in Support of Senate Bill 813 with Amendments

Disability Rights Maryland (DRM) is the state-designated Protection and Advocacy agency, authorized under federal law to protect and advocate for the rights of individuals with disabilities. DRM works with individuals with disabilities who are admitted to state hospitals, private hospitals, and other inpatient healthcare facilities on issues related to abuse, neglect, and rights violations while they are admitted.

The ability of our clients to consistently contact us is a significant barrier to our advocacy. If hospitals do not provide consistent private phone access to all of their patients, patients may have difficulty contacting their families and their advocates. The families of patients and patient advocates can also have an extremely difficult time contacting patients while they are hospitalized. Senate Bill 813 would require that all hospitals in Maryland provide in-room phones to individuals admitted to all units of the hospital. Consistent availability of private, in-room phones in all units of a hospital would significantly improve the ability of patients to advocate for themselves and stay connected to their families. The bill also requires that each hospital establish a clear process for individuals to request assistive communication technology based on their individual communication needs, helping to ensure that individuals who need communications accommodations can still advocate for themselves and communicate with their friends and families while they are hospitalized.

Disability Rights Maryland supports the following amendment to the bill:

Article – Health – General 15 19–353.1. 16

(A) IN THIS SECTION, “HEALTH CARE FACILITY” MEANS:

(1) A HOSPITAL;

(2) A SPECIAL HOSPITAL;

~~(2)~~ **(3)** A LIMITED SERVICE HOSPITAL;

~~(3)~~ **(4)** A RELATED INSTITUTION;

~~(4)~~ **(5)** AN INPATIENT FACILITY THAT IS ORGANIZED PRIMARILY TO ASSIST IN THE REHABILITATION OF DISABLED INDIVIDUALS THROUGH AN INTEGRATED PROGRAM OF

MEDICAL AND OTHER SERVICES PROVIDED UNDER COMPETENT PROFESSIONAL SUPERVISION; OR

~~(5)~~ **(6)** A NURSING HOME, AS DEFINED IN § 19–1401 OF THIS TITLE.

While we believe that “hospital” as used in the bill should be read to include all facilities defined as hospitals in MD Health-Gen Code § 19-307(a)(1) (classifying hospitals as general hospitals, special hospitals, special rehabilitation hospitals, and limited service hospitals), including “special hospitals” in the bill will ensure that there is no confusion that special hospitals are covered by the bill and have to comply with its requirements. § 19-307(a)(1) defines a hospital as a special hospital:

(ii) As a special hospital if the hospital:

1. Defines a program of specialized services, such as obstetrics, mental health, tuberculosis, orthopedy, chronic disease, or communicable disease;
2. Admits only patients with medical or surgical needs within the program; and
3. Has the facilities for and provides those specialized services;

This amendment would align the bill with the language of § 19-307(a)(1) and ensure that behavioral health hospitals and other special hospitals are explicitly covered by the bill, preventing any confusion in the future about those hospitals’ obligations to provide phones for their patients. For these reasons, Disability Rights Maryland urges a favorable report on Senate Bill 813, with amendments.

Please contact Em Holcomb, Staff Attorney at Disability Rights Maryland, with any questions. I can be reached at emh@disabilityrightsmd.org or 443-692-2536.