

February 21, 2024

The Honorable Joseline Pena-Melnyk
Chair, Health and Government Operations Committee
House Office Building, Room 241
Annapolis, Maryland 20401

RE: TESTIMONY ON HB0723 - Office of the Attorney General - Rights of Residents of Health Care Facilities - Injunctive Relief and Penalties - POSITION: FAVORABLE

Dear Chair Pena-Melnyk and members of the Health and Government Operations Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide a favorable position for House Bill 723 (HB0723). With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to workforce development and career opportunities. The Social Services Administration within DHS implements the Adult Services programs which are affected by HB0723.

House Bill 723 directly increases protections and supports for adults who reside in and receive care in skilled nursing facilities, including assisted living facilities. The bill strengthens the existing Bill of Rights for skilled nursing facility residents by granting power to the Office of the Attorney General to impose civil penalties for violations of patient rights in matters related to care; the right to be free from abuse, neglect and exploitation; and the right to fair practices around discharge from facilities.

House Bill 723 supports Adult Protective Services (APS) and the public guardianship program by allowing the Medicaid Fraud and Vulnerable Victims Unit within the Office of the Attorney General to impose penalties on assisted living facilities for violations of patient rights reported by Adult Protective Services or other entities including instances of discharges that violate patient rights. Adult Protective Services investigates allegations of abuse, neglect, and exploitation in assisted living facilities and the bill provides additional protections from entities violating adult rights. Many of the adults for whom local departments of social services serve as "guardian of person" reside in assisted living facilities.



We appreciate the opportunity to provide a favorable position to the Committee for consideration during your deliberations. We look forward to the decision of the Committee and welcome continued collaboration on HB0723.

If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,



Rafael López
Secretary