

Bill: HB 1263

Assisted Living Programs - Assisted Living Referrers - Requirements and Prohibitions

Position: Support with Amendments

March 5, 2024

The Maryland Long-Term Care Ombudsman program advocates for residents in nursing homes and assisted living facilities in Maryland. Ombudsmen work to resolve complaints that can have adverse effects on the quality of care, safety, health, and quality of life of the citizens that reside in these facilities. In Maryland, ombudsmen provide these services to the over 50,000 citizens that live and receive services in nursing homes and assisted living facilities.

When choosing an assisted living facility, the resident, family, and their support system should be fully informed about all options available. When working with an assisted living referrer, the assisted living referrer should provide that information.

When someone is looking for a facility, it is often a very stressful time. Their loved one may be in the hospital or need more care than can be provided at home. If a person decides to work with an assisted living referrer, there need to be safeguards in place to protect the consumer. Criminal background checks for employees are an important added protection. Additionally, outlining the services provided in the contract are excellent additions to the law to help whoever is working with assisted living referrer understand the services that are being provided and the terms of the agreement. It is critical that these contracts be as clear and transparent as possible.

I am supporting this bill with several amendments.

The Long-Term Care Ombudsman Program educates the public and provides information about how to choose an assisted living facility. It is important for the individual to make an informed decision about a facility, and whenever possible, a visit to the facility should be made to the facility. This visit need not be announced and should not require the assisted living referrer to be there at the time of the tour. Facility staff should allow visitors anytime, including those that are looking at moving someone into the facility. Assisted living facilities are open for business and should welcome people to come to see what their facility is like even when a visit is not scheduled.

Requiring a visit to be scheduled is a concern because it gives the appearance that the business is not welcoming or transparent. Additionally, once someone moves into a facility, residents can receive visitors at anytime and being denied the right to visit or being required to visit around someone's schedule is a violation of rights and it gives the appearance that the provider has something to hide. It should be noted that an assisted living facility is a home where people live and spend their lives. They can have visitors at any time. When you visit a facility, do you want to have the beautified sales version of the assisted living facility, or do you want to see the facility for what it is at any time?

My final suggestion for an amendment is to remove the statement related to the database. OHCQ does have a database on their website that is available to the public.

I respectfully ask for my comments to be considered and offer a favorable report for this bill with the amendments I am proposing.

Sincerely,

Stevanne Ellis

Maryland State Long-Term Care Ombudsman