

**BONNIE CULLISON**  
*Legislative District 19*  
Montgomery County

Vice Chair, Health and Government  
Operations Committee

*Subcommittees*

Chair, Insurance and Pharmaceuticals

Health Occupations and Long Term Care

Rules and Executive  
Nominations Committee

Joint Committee on Legislative Ethics



The Maryland House of Delegates  
6 Bladen Street, Room 241  
Annapolis, Maryland 21401  
410-841-3883 · 301-858-3883  
800-492-7122 Ext. 3883  
Fax 410-841-3882 · 301-858-3882  
Bonnie.Cullison@house.state.md.us

## THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401

### **Testimony in Support of HB 1176 Home- and Community-Based Services Waiver – Eligibility**

Good afternoon, Madame Chair Peña-Melnyk, and honorable members of the Health and Government Operations committee. Thank you for the opportunity to present **HB 1176, Home- and Community-Based Services Waiver**. This bill seeks to increase clarity about and accessibility to our state's programs that provide long term care services to our disabled and senior residents. It is especially concerned with the Home and Community Based Options Waiver (HCBOW).

The Maryland Department of Aging has recently launched the "Longevity Ready Maryland" (LRM) initiative which takes a whole life approach to meeting the quality of life needs of our residents throughout their lives in our state. This includes developing programs for long-term term supports and services.

According to the MDOA website, by 2035 there will be 2.1 million Maryland residents over the age of 60 as compared to 1.6 million under the age of 19. We need to be planning now for those community members.

In terms of quality of life, if you ask residents where they would prefer to live in their "golden years" most, if not all, will say "in my home." As we age, we need more help with activities of daily living but that does not necessarily mean we need the service of a long-term care facility, which is very expensive. The cost of even in-home services is high, and many folks do not have the resources they need to obtain them. There are several state programs that can provide support.

One of the programs is the Home and Community Based Options Waiver (HCBOW). The HCBOW was originally established to give individuals the choice to "age-in-place" at home, while minimizing Medicaid costs to Maryland and the federal government by providing long-term care services in a more cost-effective environment. However, the HCBOW is a "capped" waiver, meaning that the program can only serve an approved maximum number of individuals per year. Due to the popularity of the program, a waitlist was established for the HCBOW.

Maryland's HCBOW waitlist currently contains 25,000 individuals with a waiting period of approximately 8 years. Due to the long waiting period, individuals on the waitlist must often choose to forego long-term care services, or unnecessarily enter a nursing home to qualify for Medicaid Long Term Services and Supports program and then exit the nursing home to enroll in the HCBOW.

While we have made efforts over the last 5 years, the "registry" or waiting list for HCBOW continues to grow. In 2022 we passed a bill to increase the number of slots, to address the waiting list by requiring direct contact with those on the list by mail with a very clear explanation of the requirements for the application process.

This bill is here today because more needs to be done. At a very basic level, the issue is a lack of clarity around all the elements of the eligibility process. One of those is that there are no clear income standards for a married couple, especially with respect the timing of the income considerations.

Without that clarity, folks cannot navigate the process to get the services at home provided by the waiver and many ultimately give up all their assets to be placed on Medicaid to go into a long-term living facility. This is much more expensive to the state than providing the services at home.

We are also asking the Department of Health to take advantage of the flexibility that CMS provides with respect to income cap setting.

Lastly, we are asking for the Department of Health to develop specific regulations for all aspects of the HCBOW, including the folks who are transitioning between programs based on age, needs and income.

The fact that the waiting list continues to grow means that we have not yet resolved how best to take advantage of this program, which is essential to our seniors, who want to live all their lives in our State. If we are to meet the goals of Longevity Ready Maryland, we must resolve this.

Thank you for your consideration and I respectfully request a favorable report.