



**TESTIMONY BEFORE THE
HOUSE JUDICIARY COMMITTEE**

February 14, 2024

House Bill 698: Estates and Trusts - Guardianship of the Person of a Disabled Person - Expedited Proceedings
Written Testimony Only

POSITION: FAVORABLE WITH AMENDMENT

On behalf of the members of the Health Facilities Association of Maryland (HFAM), we appreciate the opportunity to express our support with amendment for House Bill 698. HFAM represents skilled nursing centers and assisted living communities in Maryland, as well as associate businesses that offer products and services to healthcare providers. Our members provide services and employ individuals in nearly every jurisdiction of the state. HFAM is affiliated with the American Health Care Association/National Center for Assisted Living (AHCA/NCAL), which is the largest association in the United States representing long-term and post-acute care providers.

House Bill 698 requires a court to rule on petitions to appoint a guardian of the person of a disabled person to seek transfer or discharge of a disabled person from a hospital within 10 days; and requires that hearings to appoint a guardian of the person of a disabled person be held virtually unless the party seeking appointment requests that the hearing be held in person.

It is not uncommon for a guardian of the person of a disabled person to be appointed for patients and residents in settings other than hospitals. **Therefore, regarding the reference to expedited rulings on appointments needed to consent to hospital discharges or transfers on page 3, lines 32 – 35, we request that “related institutions” be included along with hospitals.** This addition of related institutions will ensure an expedited process for people receiving care in settings beyond hospitals, such as nursing homes and assisted living centers. This is important for ensuring smooth transitions between healthcare settings, along with access to quality care.

We appreciate this legislation and believe its enactment will help speed up the process of appointing a guardian of the person of a disabled person. Marylanders in need of 24/7 care for multiple chronic conditions who live in skilled nursing and rehabilitation centers usually receive long-term care support by Medicaid and are often without engaged family. I have witnessed countless heartfelt moments when professionals take on the role of caring and I am aware of instances in which legal teams from the centers assist with guardianship.

For these reasons, and with the proposed amendment, we request a favorable report on House Bill 698.

Submitted by:

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