

**Testimony Before the House Judiciary Committee  
February 20, 2024**

**House Bill 892- Criminal Law - Benefits Trafficking**

**Support**

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD) Committee on Aging, we would like to express our support for House Bill 892 – Criminal Law- Benefits Trafficking.

As social workers, we are in favor of this bill because it provides criminal penalties for recruiting, transporting, and detaining vulnerable Marylanders for the purpose of taking their government benefits. We are becoming increasingly aware of instances in which paid care providers and even family members commit these acts with impunity against older people and those with disabilities.

Older adults and adults with disabilities are among our most vulnerable populations. Perpetrators often target them because their health or mental health conditions reduce their ability to advocate for themselves or defend themselves. In addition, older adults and those with disabilities often receive government benefits that can be misused by exploitive criminals who claim to be helping them. Predators often abuse the legal vehicles available to allow family members and professionals to help individuals manage their funds (powers of attorney, payee programs) to gain control over the benefits for their own use.

We have seen benefits trafficking in the assisted living industry. A person in need of care may move into a licensed assisted living home after a hospital stay; days or weeks later, that person is moved, without their permission, into an unlicensed home run by the same provider. The whereabouts of these residents are difficult to track, especially if they do not have family or friends who are in touch with them. These transferred residents simply “disappear” and no one outside the facility knows where they are. The assisted living owner quickly becomes the payee on the person’s government benefits, but the victim never sees the funds, and does not even receive cash to purchase personal items. Often these victims are isolated from anyone outside the facility and denied phone “privileges.”

We have also worked with elders whose relatives traffick their government benefits by isolating, threatening, and coercing them until they give up control of their benefits. Many of these victims are unable to contact the authorities or are too frightened to do so.

*(over)*

According to the National Institutes of Health, twenty-three states have identified that benefits trafficking is occurring in their state. It is time to identify and prosecute this crime in Maryland. Perpetrators must be stopped so that they can no longer strip our most vulnerable Marylanders of their funds, and their freedoms.

We ask that you give a favorable report on House Bill 892.

Respectfully,

Karessa Proctor, BSW, MSW  
Executive Director, NASW-MD