

LeadingAge Maryland - 2025 - HB 938 - CCRCs - alte

Uploaded by: Aaron Greenfield

Position: FAV



TO: Senate Finance Committee
FROM: LeadingAge Maryland
SUBJECT: House Bill 938, Continuing Care Providers - Governing Bodies - Membership
DATE: March 19, 2025
POSITION: Favorable

LeadingAge Maryland supports House Bill 938, Continuing Care Providers - Governing Bodies – Membership.

LeadingAge Maryland is a community of more than 159 not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. Members of LeadingAge Maryland provide health care, housing, and services to more than 20,000 older persons each year. Our mission is to be the trusted voice for aging in Maryland, and our vision is that Maryland is a state where older adults have access to the services they need, when they need them, in the place they call home. LeadingAge Maryland represents the vast majority of CCRCs in the state.

In the event that a governing body of a continuing care retirement community (CCRC), has one resident on its Board of Directors, House Bill 938 requires that an alternate resident or alternate subscriber is appointed by the governing body, and can attend meetings and vote when the regular resident is unable to fulfill their duties.

The bill's requirements for the alternate subscriber member, including the ability to attend meetings and vote when the regular subscriber is unable to fulfill their duties, are reasonable and ensure that the subscriber's voice is consistently represented. We also appreciate the provision requiring the governing body to confer with the resident association before the subscriber or alternate subscriber officially joins the governing body, which promotes collaboration and communication between the provider and its subscribers. The effective date of January 1, 2026 allows LeadingAge Maryland members' time to update their bylaws.

LeadingAge Maryland thanks the Sponsor and the Committee for their ongoing willingness to work with us.

For these reasons, LeadingAge Maryland respectfully requests a favorable report on House Bill 938.

For more information, please contact Aaron Greenfield at 410.446.1992 or aaron@agreenfieldlaw.com

MaCCRA 2025 Testimony for Senate - Support - House

Uploaded by: Bruce Hartung

Position: FAV



Maryland Continuing Care Residents Association
Protecting the Future of Continuing Care Residents
The Voice of Continuing Care Residents at Annapolis

SUBJECT: House Bill 938 – Continuing Care Providers – Governing Bodies - Membership
COMMITTEE: Senate Finance Committee
The Honorable Pam Beidle, Chair
DATE: March 19, 2025
POSITION: **Favorable**

The Maryland Continuing Care Residents Association (MaCCRA) is a not-for-profit organization representing the residents in continuing care retirement communities (CCRCs). Maryland has over 20,000 older adults living in 38 licensed CCRCs. The principal purpose of MaCCRA is to protect and enhance the rights, well-being, and financial security of current and future residents while maintaining the viability of the providers whose interests are frequently the same as their residents. MaCCRA supports efforts to enhance transparency, accountability, financial security, and preserve existing protections in law and regulation for current and future CCRC residents statewide.

On behalf of MaCCRA, we support House Bill 938. This bill “requires the governing body of a continuing care provider that has only one subscriber to authorize the appointment of an alternate subscriber to serve as a regular member of the governing body if the regular subscriber is unable to fulfill the subscriber’s duties. The alternate subscriber may (1) attend all meetings of the governing body and (2) vote only if the regular subscriber is unable to fulfill the subscriber’s duties as a regular member of the governing body. The bill also makes conforming changes relating to regular and alternate subscribers.”

CCRC residents are the primary stakeholders of the CCRCs and bear the greatest financial risk of these enterprises. They need to have the opportunity given by law to at least participate in the governance of the facility to ensure the best interests of the residents are being heard and do in fact guide the decision-making.

CCRC governing boards understandably treat the CCRC as a business and their decision-making is guided by the goal of having a successful business. But, for residents, their CCRC is not simply a business - it is their home, more often than not for life. Resident members bring a different perspective encompassing matters not always fully understood and appreciated by the non-resident members of the governing board. It is essential that the governing board have significant resident input in the ultimate decision-making process.

Having two residents, 1 active member and 1 alternate, will double that input. Two different perspectives on resident concerns and objectives to be considered by the board in making financial decisions which directly impact the residents more so than any other stakeholders.

For these reasons we ask for a favorable report on House Bill 938.

For further information please contact: Bruce Hartung, President
Maryland Continuing Care Residents Association c/o brucehartung@sbcglobal.net

Stein Senate Testimony HB 938.pdf

Uploaded by: Dana Stein

Position: FAV

DANA M. STEIN
Legislative District 11B
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SPEAKER PRO TEM
—

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Delegate Dana Stein Support for House Bill 938

Continuing Care Providers – Governing Bodies - Membership

Chairwoman Beidle, Vice Chairman Hayes, and Members of the Finance Committee:

This bill deals with the governing bodies of continuing care providers, or CCRCs. A CCRC is a type of retirement community for older adults where residents can receive a continuum of care—from independent living, to assisted living, to skilled nursing care.

Current law requires that if a provider has a governing body, at least one of the provider’s subscribers (residents) shall be a full and regular member of the governing body.

The reason for this is that CCRC residents are the primary stakeholders of the CCRCs and bear the greatest financial risk of these enterprises. They need to have the opportunity to participate in the governance of the facility to assure the best interests of the residents are being heard.

This bill says that if the governing body has only one subscriber on it, an alternate subscriber also shall be appointed to the governing board. The alternate subscriber may attend all meetings of the governing body but can vote only if the regular subscriber is unable to fulfill their duties as a regular member of the body.

This is important because residents of a CCRC tend to be older and not always in great health, so may not be able to attend all the meetings of the governing body. Having an alternate will ensure that subscribers always have a voting presence at all meetings. It will also provide another resident voice on the governing body.

I urge a favorable vote on HB 938. Thank you.

HB938_MDOA_INFO

Uploaded by: Andrea Nunez

Position: INFO



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: March 17, 2025

Bill Number: HB 938

Bill Title: Continuing Care Providers - Governing Bodies - Membership

Committee: Finance

MDOA Position: **INFORMATION**

The Department of Aging (MDOA) submits this letter of information for House Bill 938 - Continuing Care Providers - Governing Bodies - Membership.

MDOA is statutorily required to license and regulate continuing care retirement communities (CCRCs) in Maryland pursuant to Title 10, Subtitle 4 of the Human Services Article, Annotated Code of Maryland and the COMAR 32.02.01. MDOA's principal responsibilities are to protect the public (CCRC residents) by promoting the integrity and confidence in CCRC programs, ensuring the ongoing viability of existing CCRCs, and ensuring the feasibility of proposed CCRC programs. As of January 1, 2025, there were 38 CCRC's in Maryland. These 38 CCRCs contain over 12,000 independent living units, 2,000 assisted living units and 2,000 nursing care units.

HB 938 will require CCRC governing bodies (or boards) of continuing care retirement communities in Maryland to authorize the appointment of an alternate resident representative, to serve as regular member of the board if the initial resident is unable to fulfill their duties as a board member. MDOA has not received any inquiries or communications from CCRC residents or their families regarding CCRC resident board members being unable to fulfill their legal and fiduciary duties as board members. MDOA appreciates the commitment from key stakeholders, committee leadership and the bill sponsor to improve communication and organizational transparency for CCRC residents.

If you have any questions, please contact Andrea Nunez, Legislative Director, at andrea.nunez@maryland.gov or (443) 414-8183.



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Sincerely,

A handwritten signature in blue ink that reads "Carmel Roques". The signature is written in a cursive style with a long, sweeping underline.

Carmel Roques
Secretary
Maryland Department of Aging