



COMMISSION ON AGING

Testimony on HB1008: Position – Favorable Fiduciary Institutions - Exploitation of Seniors and Vulnerable Adults – Protections and Required Referral (Vulnerable Adult Banking Protection Act)

TO: Chair Valderrama, Vice Chair Charkoudian and members of the Economic Matters Committee
FROM: Linda Bergofsky and Wayne Berman, Co-Chairs, Montgomery County Commission on Aging

Thank you for the opportunity to submit testimony in support of HB1008 – **Fiduciary Institutions - Exploitation of Seniors and Vulnerable Adults - Protections and Required Referral (Vulnerable Adult Banking Protection Act)**. The CoA was established by Montgomery County in 1974 pursuant to a requirement of the Federal Older Americans Act of 1965, that there be an Advisory Council to the Area Agency on Aging. In that role, the CoA serves as an advocate for the health, safety, and well-being of the County's older residents at the local, State, and National levels. This bill addresses an area of great interest to the CoA and its constituents, specifically prevention of financial exploitation of older people.

Older people and other vulnerable adults are a prime target for scammers and those seeking to deceive or intimidate them. Montgomery County police and the FBI reported that since 2024, eight people have been arrested in the county for government impersonation and tech support scams. Many more suspects, including overseas call center operators, are still at large. Montgomery County's own Adult Protective Services (APS) unit conducts over 1,000 investigations a year, of which 30% or more involve financial exploitation.

HB1008 authorizes fiduciary institutions to "pause", or delay or even deny a financial disbursement if they—acting in good faith— determine that the transaction is an act of financial exploitation through deception, intimidation, undue influence etc. The delay would be for 10 days, renewable for up to 25 days, and requires notification to APS, Law Enforcement and/or the State's Attorney. Fiduciary institutions may also notify a vulnerable adult's trusted contact (unless they suspect the trusted individual is engaging in financial exploitation).

We believe that some number of residents who were victims of financial exploitation may have been spared the trauma of losing their life savings had this law been in place. By providing fiduciary institutions, law enforcement, and trusted contacts the time to investigate cases of suspected financial exploitation, these entities would have more opportunity to intervene and prevent real harm to many older people and other vulnerable adults.

For these reasons, we respectfully urge a FAVORABLE report on HB1008.

Department of Health and Human Services

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