

SB140

Uploaded by: Ash-Lynn Randolph

Position: FAV

January 20, 2026

Chair William C. Smith, Jr.
Senate Judicial Proceedings Committee
2 East Miller Office Building
Annapolis, MD 21401

RE: SB140/HB216 – Criminal Law - Benefits Exploitation

Dear Chair Smith and Members of the Committee,

On behalf of Fello, we write in support of ***SB140/HB216 – Criminal Law - Benefits Exploitation.***

Across Maryland, Fello is building communities where people belong. With a team of more than 650 employees, Fello supports over 5,000 people with disabilities each year – creating opportunities that empower people to live the lives they choose. From advancing equity and respect to expanding access and connection, inclusion is at the heart of everything we do. One powerful way this comes to life is through Fello Communities: beautiful, safe, and accessible rental housing that offers choice and stability for residents across income levels, from affordable to market-rate homes.

SB140/HB216 creates a felony for coercing, deceiving, or exploiting someone to obtain government benefits – including Medicaid, Medicare, TANF, SNAP, WIC, Social Security, and T-DAP – and strengthens protections for vulnerable individuals while holding perpetrators accountable.

Fraud involving Medicaid and other government benefits not only harms the individuals whose benefits are stolen, but also adds strain to organizations operating within an already complex and challenging system. Establishing clear criminal penalties for these actions is an important step toward safeguarding public resources, protecting vulnerable populations, and ensuring these programs function as intended.

For these reasons, we respectfully urge a favorable report on SB140/HB216.

Sincerely,



Jonathon Rondeau
President & CEO

mobile: 410.591.3600

fello.

fello.org
410.269.1883



MDOA - Written Testimony SB140 - Benefits Exploita

Uploaded by: Carmel Roques

Position: FAV



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: January 16, 2026

Bill Number: **SB140**

Bill Title: Criminal Law - Benefits Exploitation

Committee: Senate Judicial Proceedings

MDOA Position: FAVORABLE

The Department of Aging (MDOA) thanks the Chair and Committee members for the opportunity to submit this favorable testimony for Senate Bill (SB) 140 - Criminal Law - Benefits Exploitation.

The Maryland Department of Aging (MDOA) serves as Maryland's State Unit on Aging, administering federal and state funding for core programs, overseeing the Area Agency on Aging (AAA) network at the local level that provides supportive services to older adults, and planning for Maryland's growing older adult population. MDOA and AAAs work to prevent all forms of abuse of older adults through: the work of the Office of the Long Term Care Ombudsman, public elder abuse awareness efforts, funding legal aid service organizations for older adults who are victims of elder abuse and exploitation and serving as the public guardians for older adults over 65 where no one else suitable is available. MDOA's Maryland Access Point service is a wide-ranging single point of entry for services and options counseling for older adults, caregivers and other community members. As mandated reporters, MAP staff within AAAs regularly make reports of suspected abuse, neglect or exploitation of older adults to local Adult Protective Services investigators based on information shared during MAP interactions with older adults. Notably, MDOA recently convened and participated on the Task Force on Preventing and Countering Elder Abuse authorized by Senate Bill 797 and House Bill 1191 of 2023. This Task Force recently issued its final report to the General Assembly, noting that abuse, neglect and exploitation of older adults is a pervasive problem in Maryland that will increase



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

along with the growing older adult population.¹ One of the broad takeaways from this Task Force’s report is that Maryland should strengthen existing criminal statutes to address the “exploitation of resources, or assets or benefits for older adults, such as pensions, public, social security, veteran’s, and retirement.”² SB 140 provides an appropriate opportunity to do so. This bill applies an inclusive, across the lifespan approach for anyone whose government benefits are exploited. This will benefit older adults who have had their government benefits exploited, from Medicare to Social Security or SNAP and provide them greater access to justice. This bill and the Task Force’s recommendations directly align with MDOA’s Longevity-Ready Maryland Plan, which will work to make Maryland more prepared for our increasingly longer lives over the next 10 years.

For these reasons, the Department of Aging respectfully urges a **favorable** report for SB 140. If you have any questions, please contact Andrea Nunez, Legislative Director, at andrea.nunez@maryland.gov or (443) 414-8183.

Sincerely,

Carmel Roques
Secretary
Maryland Department of Aging

¹ Task Force on Countering and Preventing Elder Abuse Report, December 23, 2024, pg. 5, *available at*: [https://dlslibrary.state.md.us/publications/Exec/MDoA/SB797Ch706HB1191Ch707\(2023\)_2024\(5\).pdf](https://dlslibrary.state.md.us/publications/Exec/MDoA/SB797Ch706HB1191Ch707(2023)_2024(5).pdf)

² *Id.* at 11.

Sponsor Amendment

Uploaded by: Christopher West

Position: FAV



SB0140/683623/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

19 JAN 26
19:15:00

BY: Senator West
(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 140
(First Reading File Bill)

On page 4, strike beginning with “A” in line 3 down through “BOTH” in line 5 and substitute:

“(1) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS LESS THAN \$5,000, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH;

“(2) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS AT LEAST \$5,000 BUT LESS THAN \$25,000, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH;

“(3) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS \$25,000 OR MORE, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$15,000 OR BOTH”.

Sponsor Amendment Reprint

Uploaded by: Christopher West

Position: FAV

SENATE BILL 140

E1
SB 170/25 – JPR

(PRE-FILED)

6lr0931
CF HB 216

By: **Senator West**

Requested: September 23, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Benefits Exploitation**

3 FOR the purpose of prohibiting a person from knowingly recruiting, harboring,
4 transporting, or obtaining an individual for the purpose of appropriating the
5 government benefits of an individual for the benefit of the person or another by
6 certain means; prohibiting a person from knowingly benefitting in a certain manner
7 from participation in a venture that violates a certain provision of this Act;
8 prohibiting a person from aiding, abetting, or conspiring with one or more persons to
9 violate a certain provision of this Act; and generally relating to benefits exploitation.

10 BY adding to
11 Article – Criminal Law
12 Section 8–524
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2025 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 **8–524.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) “COERCION” MEANS:

2 REPRINT OF SENATE BILL 140 as amended by SB0140/683623/1 01/19/26 at 7:14 PM

1 (I) 1. CAUSING OR THREATENING TO CAUSE BODILY HARM
2 TO AN INDIVIDUAL; OR

3 2. PHYSICALLY RESTRAINING OR CONFINING OR
4 THREATENING TO PHYSICALLY RESTRAIN OR CONFIN AN INDIVIDUAL;

5 (II) EXPOSING OR DISSEMINATING OR THREATENING TO
6 EXPOSE OR DISSEMINATE ANY FACT OR INFORMATION THAT WOULD TEND TO
7 SUBJECT AN INDIVIDUAL TO CRIMINAL OR IMMIGRATION PROCEEDINGS, HATRED,
8 CONTEMPT, OR RIDICULE;

9 (III) DESTROYING, CONCEALING, REMOVING, CONFISCATING, OR
10 POSSESSING ANY ACTUAL OR PURPORTED PASSPORT OR OTHER IMMIGRATION
11 DOCUMENT, OR ANY OTHER ACTUAL OR PURPORTED GOVERNMENT IDENTIFICATION
12 DOCUMENT, OF AN INDIVIDUAL;

13 (IV) PROVIDING A CONTROLLED DANGEROUS SUBSTANCE TO AN
14 INDIVIDUAL FOR THE PURPOSE OF COMPELLING THE INDIVIDUAL TO ENGAGE IN AN
15 ACTION AGAINST THE INDIVIDUAL’S WILL;

16 (V) CAUSING OR THREATENING TO CAUSE FINANCIAL HARM TO
17 AN INDIVIDUAL OR EXERTING FINANCIAL CONTROL OVER A DISABLED OR ELDERLY
18 ADULT; OR

19 (VI) DEPRIVING AN INDIVIDUAL OF MEDICAL CARE.

20 (3) “CONTROLLED DANGEROUS SUBSTANCE” HAS THE MEANING
21 STATED IN § 5–101 OF THIS ARTICLE.

22 (4) “DECEPTION” MEANS:

23 (I) CREATING OR CONFIRMING ANOTHER PERSON’S
24 IMPRESSION OF AN EXISTING FACT OR PAST EVENT THAT IS FALSE AND THAT THE
25 ACCUSED KNOWS OR BELIEVES TO BE FALSE; OR

26 (II) PROMISING BENEFITS OR THE PERFORMANCE OF SERVICES
27 THAT THE ACCUSED DOES NOT INTEND TO DELIVER OR PERFORM OR KNOWS WILL
28 NOT BE DELIVERED OR PERFORMED.

29 (5) “EXPLOITATION” MEANS ILLEGALLY OR IMPROPERLY USING AN
30 INDIVIDUAL OR AN INDIVIDUAL’S GOVERNMENT BENEFITS THROUGH UNDUE
31 INFLUENCE, HARASSMENT, DURESS, FALSE REPRESENTATION, FALSE PRETENSE,
32 OR OTHER SIMILAR MEANS FOR PERSONAL PROFIT OR ADVANTAGE OR FOR THE
33 PROFIT OR ADVANTAGE OF ANOTHER.

3 REPRINT OF SENATE BILL 140 as amended by SB0140/683623/1 01/19/26 at 7:14 PM

1 (6) "GOVERNMENT BENEFITS" INCLUDES:

2 (I) MEDICARE BENEFITS;

3 (II) MEDICAID BENEFITS;

4 (III) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)
5 BENEFITS;

6 (IV) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
7 WOMEN, INFANTS, AND CHILDREN (WIC) BENEFITS;

8 (V) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
9 (SNAP) BENEFITS;

10 (VI) SOCIAL SECURITY BENEFITS;

11 (VII) SOCIAL SECURITY DISABILITY (SSDI) BENEFITS;

12 (VIII) VETERANS BENEFITS;

13 (IX) PENSION BENEFITS;

14 (X) TEMPORARY DISABILITY ASSISTANCE PROGRAM (TDAP)
15 BENEFITS; AND

16 (XI) PUBLIC ASSISTANCE TO ADULTS (PAA) BENEFITS.

17 (7) "ISOLATION" MEANS PREVENTING AN INDIVIDUAL FROM HAVING
18 CONTACT WITH FRIENDS OR FAMILY, A WELFARE AGENCY, LAW ENFORCEMENT
19 OFFICERS, HEALTH CARE PROVIDERS, OR OTHER INDIVIDUALS OR ENTITIES
20 WITHOUT THE KNOWLEDGE OF THE INDIVIDUAL OR AGAINST THE INDIVIDUAL'S
21 WISHES.

22 (B) (1) A PERSON MAY NOT, THROUGH DECEPTION, COERCION,
23 EXPLOITATION, ISOLATION, OR ANY OTHER MEANS, KNOWINGLY RECRUIT, HARBOR,
24 TRANSPORT, OR OBTAIN AN INDIVIDUAL FOR THE PURPOSE OF APPROPRIATING THE
25 GOVERNMENT BENEFITS OF AN INDIVIDUAL FOR PERSONAL BENEFIT OR TO
26 BENEFIT ANOTHER.

27 (2) A PERSON MAY NOT KNOWINGLY BENEFIT FINANCIALLY OR BY
28 RECEIVING ANYTHING OF VALUE FROM PARTICIPATION IN A VENTURE THAT
29 VIOLATES PARAGRAPH (1) OF THIS SUBSECTION.

4 REPRINT OF SENATE BILL 140 as amended by SB0140/683623/1 01/19/26 at 7:14 PM

1 (3) A PERSON MAY NOT AID, ABET, OR CONSPIRE WITH ONE OR MORE
2 PERSONS TO VIOLATE PARAGRAPH (1) OF THIS SUBSECTION.

3 (C) ~~A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY~~
4 ~~OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING~~
5 ~~25 YEARS OR A FINE NOT EXCEEDING \$15,000 OR BOTH~~

(1) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS LESS THAN \$5,000, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH;

(2) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS AT LEAST \$5,000 BUT LESS THAN \$25,000, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH;

(3) IF THE AGGREGATE VALUE OF THE MONEY OR OTHER GOODS OR SERVICES INVOLVED IS \$25,000 OR MORE, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$15,000 OR BOTH.

6 (D) (1) EACH VIOLATION OF THIS SECTION SHALL BE CONSIDERED A
7 SEPARATE OFFENSE.

8 (2) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE
9 FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME
10 BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2026.

Testimony SB140.pdf

Uploaded by: Christopher West

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

Judicial Proceedings Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 322
Annapolis, Maryland 21401
410-841-3648
800-492-7122 Ext. 3648
Chris.West@senate.maryland.gov

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

January 20, 2026

The Maryland State Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Senate Bill 140 – Criminal Law – Benefits Exploitation

Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

This is a reintroduction of Senate Bill 170 from last year. As I did last year, this is also a cross-file of Delegate Kaufman's House Bill 216.

This bill would create a new crime involving the exploitation of someone's government benefits. The crime would have three elements. First, a person would need to be found guilty of using deception, coercion, exploitation, isolation of any means. These terms are all defined in the bill. Second, through such means, the person charged with the crime would have to be found guilty of knowingly recruiting, harboring, transporting, or obtaining an individual as victim. Thirdly, that conduct would need to be found to have been perpetrated for the purpose of appropriating the government benefits of the victim for personal benefit of the defendant or to benefit another. In other words, this crime would be similar to human trafficking but could instead be referred to as "benefits trafficking" or "benefits exploitation".

In the context of this bill, benefits exploitation could best be described as the systematic recruitment, harboring, and financial exploitation of elder and disabled adults and adults suffering from dementia who receive government benefits such as Social Security, Veteran's Benefits, Medicaid, Medicare, pension benefits, disability benefits or other government benefits.

Such exploitation occurs with alarming frequency. The exploiters tend to pose as sincere individuals offering to provide care for at-risk adults in an in-home setting. Once recruited, the at-risk adults sign over their government benefits to their caregiver. From that point on, the victims are held against their will while their caregiver receives their benefits and uses them for the benefit of the caregiver, not for the benefit of the victims. In extreme cases, the victims are moved from location to location, and denied basic needs such as food, clothing, and adequate shelter.

CHRIS WEST
Legislative District 42
Baltimore and Carroll Counties

—
Judicial Proceedings Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Victims of Benefits Exploitation are often forgotten at-risk adults who have fallen through the cracks of various mental health systems, are unhoused, and no longer have a social support system in place.

Benefits exploitation is deceptive and predatory behavior, causing extreme detrimental harm to individuals and families. Among the organizations supporting this bill are the Alzheimer's Association, the Associated, the Maryland Chapter of the National Association of Social Workers, the Maryland Department of Aging, the Maryland Department of Human Services, and Mayor Brandon Scott.

I appreciate the Committee's consideration of Senate Bill 140 and will be happy to answer any questions the Committee may have.

Maryland Legal Aid Testimony SB 140.pdf

Uploaded by: Cornelia Bright Gordon

Position: FAV

**Criminal Law - Benefits Exploitation
Hearing on January 20, 2026, Judicial Proceedings Committee
Position: Favorable**

Maryland Legal Aid submits written testimony in support of SB 140.

Maryland Legal Aid is a non-profit law firm that provides free legal services to low-income and vulnerable Maryland residents. Each year, we assist thousands of individuals who rely on Supplemental Nutrition Assistance Program (SNAP), Temporary Disability Assistance Program (TDAP), Temporary Cash Assistance (TCA/TANF) and all forms of Social Security benefits. Many of our clients are living with disabilities, and most also depend on Medicare, Medicaid, Veterans benefits, and other essential supports. These programs form the “safety net” that provides life-sustaining assistance to people living below the poverty line.

This testimony is offered at the request of Senator West. We are fortunate that people in the United States are living longer, but the reality is that the number of people, especially older adults, who become victims of abuse and financial exploitation is growing.¹ SB 140 will, for the first time, make it illegal to obtain another person’s benefits through isolation, deception, coercion or exploitation for personal gain. In other words, SB 140 would finally make benefits trafficking illegal in Maryland.

One only has to watch the news or read a newspaper to know that benefits exploitation is real and widespread. It causes profound harm to low-income individuals, especially older adults. Maryland Legal Aid has seen this firsthand. In one case, we represented a woman in her 80s with disabilities, whose own granddaughter brought her to Maryland for a “visit,” then isolated her, hid her government identification, and stole her Social Security benefits, and her small pension and rental income. This continued for 18 months. Our client, 82 years old, without money or identification, was unable to escape and return home to Arkansas. She was even forced to perform household chores for her granddaughter’s family against her will. The case was brought to our attention only because the granddaughter filed a petition for guardianship over our client, in a nefarious and unscrupulous attempt to permanently seize her income through a court order.

This conduct involved deception, isolation, transportation of a vulnerable adult, and the theft of government benefits by someone who neither earned nor deserved them. It falls squarely within the scope of SB 140.

¹ <https://www.youtube.com/watch?v=blcv5CbO-WE>; <https://www.fbi.gov/news/stories/elder-fraud-in-focus>; <https://ovc.ojp.gov/program/stop-elder-fraud/providing-help-restoring-hope>; <https://vawnet.org/sc/elder-abuse-growing-problem>.

Maryland Legal Aid strongly opposes benefits trafficking and exploitation, particularly when it targets older adults, and we once again urge passage of SB 140.

If you have questions please contact Cornelia Bright Gordon, Director of Advocacy for Administrative Law, Maryland Legal Aid, at cbgordon@mdlab.org, or Jessica Spraker, Co-Chair, Aging and Law Task Force, jspraker@mdlab.org.

SB0140_DHS_FAV.pdf

Uploaded by: Justin Hayes

Position: FAV



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

January 20, 2026

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
2 East Miller
Senate Office Building
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0140 - CRIMINAL LAW - BENEFITS EXPLOITATION -
POSITION: FAVORABLE**

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide favorable testimony for Senate Bill (SB 140).

With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities. The DHS Family Investment Administration (FIA) administers a variety of financial assistance programs affected by SB 140.

The bill would define "government benefits" to specifically include Temporary Assistance for Needy Families (TANF; administered in Maryland as Temporary Cash Assistance), and Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Disability Assistance Program (TDAP), and Public Assistance to Adults (PAA). We believe SB 140 could reduce public benefit theft by creating an additional criminal charge that may deter thieves from exploiting individuals and families we serve. SB 140 would add to the State's efforts to prosecute thieves while we do everything we can to protect our customers' benefits.

Among the many first ever measures we've implemented since taking office is a number of security features, including the ability for customers to lock their Electronic Benefits Transfer (EBT) card while it is not in use. We introduced activity alerts, which

customers receive each time there is a transaction on their EBT card. Customers can detect and mitigate potential theft in real time. We also increased personal identification number (PIN) complexity.

We appreciate the addition of Temporary Disability Assistance Program (TDAP) and Public Assistance to Adults (PAA) to the enumerated list of protected benefits. We disburse these cash assistance benefits on EBT cards. EBT cards are also used for TANF, SNAP, TDAP, and SUN Bucks benefits.

SB 140 criminalizes multiple means of achieving theft, including through deception, coercion, exploitation, or isolation. The bill demonstrates that Maryland takes seriously the exploitation of Marylanders and their critical safety net benefits. Additional and specific protections are necessary because Marylanders rely on cash benefits to pay for groceries to feed their families, keep the lights on, and pay other monthly expenses.

If you require additional information, please contact Justin Hayes, Acting Director of Government Affairs, at justin.hayes1@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael López', written in a cursive style.

Rafael López
Secretary

NASW Maryland - 2026 SB 140 FAV - Benefits Exploit

Uploaded by: Karessa Proctor

Position: FAV

Testimony Before the Senate Judicial Proceedings Committee

January 20, 2026

Senate Bill 140 - Criminal Law- Benefits Exploitation

**** Support ****

The National Association of Social Workers is the largest professional association of social workers in the country, and the Maryland Chapter represents social workers across the state. On behalf of the NASW-MD's Committee on Aging, we would like to express our support for Senate Bill 140 – Criminal Law- Benefits Exploitation.

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 exploitation 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.”

(over)

We have also worked with elders whose relatives exploit them for 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.

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 Senate Bill 140.

Respectfully,

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

SB 140 - FAV - JPR - ALZ Association.pdf

Uploaded by: Megan Peters

Position: FAV



Bill: SB 140 - Criminal Law - Benefits Exploitation

Committee: Judicial Proceedings Committee

Position: Favorable

Date: January 20, 2026

On behalf of the 127,200 Marylanders living with Alzheimer's disease and the many other Marylanders living with another type of dementia, the Alzheimer's Association supports *SB 140 - Criminal Law - Benefits Exploitation*. This bill is aimed at stopping a person from knowingly exploiting and benefiting from another individual's government benefits. We urge a favorable report.

People living with dementia are particularly vulnerable to financial abuse and exploitation. As their memory and other thinking skills decline, people with dementia may not remember or report the abuse – or understand that someone is taking advantage of them. This abuse can occur anywhere – including at home or in care settings.

Many Marylanders living with dementia are likely receiving some of the government benefits represented in SB 140, specifically Medicare and/or Medicaid. In Maryland alone, the Medicaid cost of caring for people with Alzheimer's in 2025 was an estimated \$1.7 billion. It is important that government benefits are supporting the individuals who are using these services, not bad actors who are hoping to benefit by taking advantage of an individual.

This bill will provide further safeguards to protect Maryland's most vulnerable. The Alzheimer's Association urges a favorable report on SB 140. Please contact Megan Peters, Director of Government Affairs at mrpeters@alz.org with any questions.

SB0140-JPR-SUPP.pdf

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB0140/HB0216

January 20, 2026

TO: Members of the Judicial Proceedings Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: Senate Bill 140 – Criminal Law – Benefits Exploitation
POSITION: Support

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill 140.

SB 140 clarifies that exploitation related to another person's government benefits is a criminal act that should be prohibited in the State of Maryland. The bill also clearly defines the methods by which bad actors exploit others for their own personal gain, including coercion, deception, and isolation. This bill is critical to ensuring older adults and persons with disabilities, who are often targeted by this type of exploitation, are protected from this type of exploitation and trafficking.

SB 140 will strengthen our ability to protect residents of nursing homes and assisted living facilities. The Baltimore City Health Department's Division of Aging and Community Support serves as the Area Agency on Aging (AAA) for Baltimore City. The agency also houses the Long-term Care Ombudsman program, which advocates for residents of nursing homes and assisted living facilities. Our Ombudsman staff report that some of these facilities are taking advantage of their residents' vulnerability and isolation and, through coercion and deception, are gaining control of their benefit payments. By defining forms of exploitation and deception and creating criminal penalties for them, SB 140 will strengthen the ability of our agency and our law enforcement partners to protect the rights of these vulnerable residents.

For these reasons, the BCA respectfully requests a **favorable** report on SB 140.

Testimony in support of SB0140 - Criminal Law - Be

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0140_RichardKaplowitz_FAV

01/20/2026

Richard Keith Kaplowitz
Frederick, MD 21703-7134

TESTIMONY ON SB#0140 - POSITION: FAVORABLE
Criminal Law - Benefits Exploitation

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0140, **Criminal Law - Benefits Exploitation**

Unfortunately, there are individuals in our society who prey on those who, through no fault of their own, do not have a will or the knowledge or the mental soundness to avoid being taken advantage of by unscrupulous people.

This bill will make that predatory behavior a serious crime in the way it is treated. This bill will serve that goal by prohibiting a person from knowingly recruiting, harboring, transporting, or obtaining an individual for the purpose of appropriating the government benefits of an individual for the benefit of the person or another through deception, coercion, exploitation, isolation, or any other means. It would also criminalize any confederates of the person initiating this conduct by prohibiting a person from aiding, abetting, or conspiring with one or more persons to violate a certain provision of the Act. The result of the finding that this conduct exists or is planned will establish that a violation of the Act is a felony; etc.

Multiple examples of this despicable fraud and scams can be found online along with the effects on the person or persons harmed by it. This bill makes it clear that those miscreants will receive significant punishment for their actions. The seriousness of the penalty may also help to make the crimes less attractive to those who might attempt them.

I respectfully urge this committee to return a favorable report on SB0140.

BJC Fav sb140 Benefits Exploitation .pdf

Uploaded by: Sarah Miicke

Position: FAV



OFFICERS

ROBIN WEIMAN
President

RICHARD GRATZ

SARAH GROSSMAN

AMALIA HONICK

RABBI STEVEN SCHWARTZ

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- American Jewish Committee
- Americans for Peace Now
- Baltimore Chapter
- American Israel Public Affairs Committee
- American Red Magen David for Israel
- American Zionist Movement
- Amit Women
- Association of Reform Zionists of America
- Baltimore Board of Rabbis
- Baltimore Hebrew Congregation
- Baltimore Jewish Green and Just Alliance
- Baltimore Men's ORT
- Baltimore Zionist District
- Beth Am Congregation
- Beth El Congregation
- Beth Israel Congregation
- Beth Shalom Congregation of Howard County
- Beth Tfiloh Congregation
- Bnai Brith, Chesapeake Bay Region
- Bnai Israel Congregation
- Bnai Jacob Shaarei Zion Congregation
- Bolton Street Synagogue
- Chevrá Ahavas Chesed, Inc.
- Chevrei Tzedek Congregation
- Chizuk Amuno Congregation
- Congregation Beir Tikvah
- Congregation Tiferes Yisroel
- Federation of Jewish Women's Organizations of Maryland
- Hadassah
- Har Sinai - Oheb Shalom Congregation
- J Street
- Jewish Federation of Howard County
- Jewish Labor Committee
- Jewish War Veterans
- Jewish War Veterans, Ladies Auxiliary
- Jewish Women International
- Jews For Judaism
- Moses Montefiore Anshe Emunah Hebrew Congregation
- National Council of Jewish Women
- Ner Tamid Congregation
- Rabbinical Council of America
- Religious Zionists of America
- Shaarei Tfiloh Congregation
- Shomrei Emunah Congregation
- Suburban Orthodox Congregation
- Temple Beth Shalom
- Temple Isaiah
- Zionist Organization of America Baltimore District

WRITTEN TESTIMONY

**Senate Bill 140 – Criminal Law – Benefits Exploitation
Judiciary Proceedings Committee
January 20, 2026
Support**

Background: Senate Bill 140 (SB140) would create the criminal offense of “benefits exploitation.” Benefits exploitation would make it a felony to knowingly recruit, harbor, transport or obtain an individual for the purpose of appropriating the government benefits of an individual for personal benefit or to benefit another through deception, coercion, exploitation, isolation or any other means. Government benefits include but are not limited to Social Security, Medicare, Medicaid, Veterans and Disability.

Written Comments: The Baltimore Jewish Council represents the interests of CHANA, an agency of the Associated: Jewish Federation of Baltimore. CHANA is a domestic violence, sexual abuse, and elder abuse agency that serves Baltimore County and City. CHANA provides safety planning, supportive counseling, shelter, crisis intervention, case management and legal advocacy.

Elder abuse is an act or failure to act that causes harm to an older adult. One in 10 community-residing older adults report being abused and an article cited by the World Health Organization reported that elder abuse increased by 84% during the initial months of the pandemic. Elder abuse includes physical, emotional, psychological, sexual, medical and financial abuse or neglect and perpetrators of elder abuse are most often adult children or spouses. Acts of elder abuse extend throughout the criminal justice system to include assault, sexual assault, theft, fraud and other crimes, none of which sufficiently cover the exploitation of benefits.

CHANA has served older adult abuse victims for financial gain, including to receive their benefits. CHANA supported an older gentleman who was physically assaulted, deprived of food and falsely imprisoned in his basement. His abusive relatives only let him out for trips to the bank on the day after his pension and social security benefits were deposited. They then forced him to give the funds to them. To date, Maryland law does not specifically address the exploitation of older adults, such as this client, to gain access to their benefits.

We ask for a favorable report on SB140 so that our older adult clients can receive the full relief and protection that they truly need when their government benefits have been exploited.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of the Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

OPD Unfavorable_SB140-Benefits Exploitation.pdf

Uploaded by: Krystal Williams

Position: UNF



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POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 140 - Criminal Law - Benefits Exploitation

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: January 20, 2026 – Senate Hearing

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on Senate Bill 140 for the following reasons:

First, Senate Bill 140 seeks to create a felony that carries a maximum statutory penalty of 25 years and a potential \$15,000 fine. Although the Office of the Public Defender never wants to see the vulnerable people exploited, creating more felonies is not an effective way to address the problem. Instead, it increases collateral consequences that in turn result in increased risk of recidivism and diminished public safety in communities.

Collateral consequences are legal restrictions that disqualify people convicted of crimes from accessing certain needs and benefits available to other citizens. Many of the collateral consequences experienced by people with felony convictions involve their very basic needs, including employment, housing and public food benefits. In particular, a person with a felony conviction faces significant barriers accessing housing, especially affordable housing because of their conviction. Most, if not all, government housing disqualifies applicants with felony convictions. Furthermore, families that live in public housing or have housing through a government voucher, are often not allowed to have family members with felony convictions live with them. Additionally, most landlords often do background checks and do not rent to people with criminal backgrounds and specifically felony charges. They could also be prohibited from reunifying with their families if their family lives in any form of public housing.

Felonies are the highest level of crime. As such, people with felony convictions face increased challenges in gaining employment. Eighty-seven percent of employers conduct background checks. Most employers do not hire people with felony convictions and/or who have served time in prison. Sixty percent of incarcerated people remain unemployed one year after their release.

This inability to gain employment gravely impacts a person's quality of life and ability to establish a livelihood without committing crime.

Without the possibility of stable housing and income to provide for food and other necessities, people desperately turn to illegal and unsafe measures, ultimately making our communities less safe. Additionally, people with felony convictions are excluded from participating in food supplement programs in Maryland. With the prices of food on the rise, limited income and no access to food supplement programs, the options for a convicted felon to survive and meet their basic needs without reoffending are little to none.

Finally, OPD has concerns with the inclusion of "any other means" in 8-524(B)(1) in reference to "recruit[ing], transport[ing], or obtain[ing] an individual" might be unclear in implementation. The concern that comes to mind is individuals suffering from substance use disorder who may engage in selling or trading their government benefits such as food stamps. Individuals in the throes of addiction may sell their food stamps for half of their value either for drugs or money. A felonious conviction with a 25-year potential penalty is an inappropriate response to someone who needs treatment.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on Senate Bill 140.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.