



THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

BILL: House Bill 1010 – Health Care Facilities – Discrimination (LGBTQ Senior Bill of Rights)

SPONSOR: Delegate Acevero, *et al.*

HEARING DATE: March 5, 2020

COMMITTEE: Health and Government Operations

CONTACT: Intergovernmental Affairs Office, 301-780-8411

POSITION: SUPPORT

The Office of the Prince George's County Executive **SUPPORTS House Bill 1010**, which prohibits comprehensive and extended care facilities from discriminating (including bullying, abuse, or harassment) against residents based on their actual or perceived sexual orientation, gender identity, gender expression, or HIV status. The Maryland Department of Health defines comprehensive care facilities as those that admit residents suffering from advanced age, disease, or a disability requiring medical services. Extended care facilities are defined as facilities in which residents receive subacute care, including treatment requiring inpatient care but not continuous services. Essentially, this Bill provides protections for individuals who are housed in facilities such as nursing homes, board and care homes, and assisted living facilities.

In 2018, the National Center for Health Statistics produced a report identifying that there were 1.2 million nursing home residents, 800,000 residential care community residents, and 200,000 adult day service residents within the United States. The Maryland Department of Aging's Office of the State Long-Term Care Ombudsman advocates for comprehensive and extended care facilities. In 2017, the Office produced a report of FY2016 data, revealing that there were at least 230 statewide nursing homes and 1,461 statewide assisted living facilities, which provided care to at least 48,000 people. Within those facilities, over 3,600 complaints were addressed; some of the most frequent categories included issues of discharge or eviction, dignity and respect, and preferences including civil and religious rights.

House Bill 1010 is intended to eliminate discrimination in comprehensive and extended care facilities. Such discriminatory acts include but are not limited to: denying admission to/from a facility, transferring or refusing to transfer to/from a

facility, and discharging or evicting from a facility based on a resident's gender identity, gender expression, sexual orientation, or HIV status. This Bill also prohibits discriminatory acts such as prohibiting/harassing residents for using certain restrooms, failing to identify residents by their preferred pronouns, denying the right of residents to wear certain clothes (based on gender expression), and denying or restricting medical care. **House Bill 1010** will require that each facility posts a notice of the nondiscrimination, bullying, harassment, and abuse policy and maintains records of each resident's name, pronoun, and gender identity.

The Prince George's County Human Relations Commission (HRC) is the County's civil and human rights education and enforcement agency. The HRC seeks to eliminate discriminatory actions against any person based on their protected class, including sex, sexual orientation, and disability, among others. Under the proposed Bill, health care facilities will be prohibited from discriminating against certain individuals or residents on certain bases and therefore, would enhance the mission and objectives of the HRC. In a State in which there is an increasing population of Marylanders over the age of 60 and an increasing number of assisted living facilities, the Office of the County Executive fully supports any efforts that represent inclusivity and diversity for its County residents.

For the reasons stated above, the Office of the Prince George's County Executive **SUPPORTS House Bill 1010** and asks for a **FAVORABLE** report.