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House Judiciary Committee HB 320: Criminal Law – Exploitation of Vulnerable Adult – or Elderly Individual

Position: Support
February 3, 2020

The Maryland Association of Community Services (MACS) is a non-profit association of over 100 agencies across Maryland serving people with intellectual and developmental disabilities (IDD). MACS members provide residential, day and supported employment services to thousands of Marylanders, so that they can live, work and fully participate in their communities.

Health and safety is central to the core mission of enabling people with intellectual and developmental disabilities (IDD) to live meaningful, inclusive lives in their communities. This mandate includes protecting the financial safety of the people that MACS members support. The relevant COMAR regulations require that DDA licensed providers ensure that there is “adequate protection for the finances and property of each individual” for whom they provide supports (COMAR 10.22.02.10). In addition to COMAR’s mandates, IDD providers are also subject to extensive investigatory and reporting requirements of incidents that threaten the health, safety and welfare—including the financial welfare- of people receiving community supports. Theft of a person’s funds or property is considered a reportable offense under the incident management system to which DDA licensed providers are subject. While these regulations apply to providers and staff, many MACS members recount situations of people with IDD whom they support who have inherited a home or other resources, and who are suddenly approached by family members or acquaintances, largely or wholly absent from the person’s life until the inheritance, who attempt to transfer the property into their own names.

We believe this bill will assist the courts in protecting people with IDD from such exploitative conduct and urge a favorable report.

Respectfully submitted.