

March 5, 2020

Delegate Luke Clippinger
Chairman, House Judiciary Committee
Room 101
House Office Building
Annapolis, MD 21401

RE: HB 1282 Vulnerable Adult Abuse Registry

Dear Chairman Clippinger,

My name is Sharon Siettas, my husband Gus Siettas and I are Legal Guardians and Parents of our son Adam Siettas (*re: Attachment 1*). Adam is 22 years old and resides in a Maryland State Residential Group Home for adults with developmental disabilities.

I am here today to support HB 1282 – Vulnerable Adult Abuse Registry. I would like to thank everyone who was instrumental in its creation, and all members of the Judiciary Committee for your consideration of my personal experience and how it led to my support of HB 1282.

On August 7, 2019 while riding in a transit van with 4 other residential adults and 2 employees, Adam displayed some disruptive behaviors. After some time had passed and Adam had quieted down, the employee who had dealt with the disruptive behavior, turned to Adam and said, “now it’s your turn buddy.” The employee held Adam down and with the knuckle of his middle finger hit Adam repeatedly on his upper arm (*re: Attachment 2*).

As Adam’s Guardians, our paramount goals and interests regarding Adams abuse were to ensure that all investigative reporting was done accurately and that at the conclusion of the investigation process, employees name, if found to have been abusive, would have been added to the List of Excluded Individuals and Entities. (LEIE). The employee’s name added to this list would exclude the employee from working in any Federally funded health care program pursuant to section 1128 of the Social Security Act and from Medicare and State Healthcare programs under section 1156. I would be remiss, in not adding, that our efforts to accomplish these goals proved to be an arduous uphill battle with numerous obstacles in an environment of apathy towards the abuse of vulnerable adults.

On September 13, 2019 we received notice from the Office of Health Care Quality (OHCQ) stating that based on their investigation, both physical and emotional abuse took place on the part of the employee being investigated (*re: Attachment 3*). Expecting that the employee would then be placed on the LEIE list, we contacted the OHCQ to inquire as to the time frame we could expect this to be done. We did not hear back from them.

On September 25, 2019 we heard from the Department of Justice, Attorney General’s Office. We then became aware that after 2 months of taxpayer money spent to do an investigation through the Department of Health (OHCQ), that had already concluded abuse by employee, an additional investigation would need to be done by the Department of Justice, Attorney Generals

Office. The AG's office investigation would need to result in a conviction for the employee to be placed on LEIE list.

The AG's office concluded their investigation on January 15, 2020 and informed us that due to insufficient evidence to prove case beyond a reasonable doubt, no criminal charges would be brought (*re: Attachment 4*). As a result, the employee's name will not appear on LEIE list and his history of abuse will be hidden from all State or Federally funded programs that do background checks and hire employees to work with vulnerable adults in any county anywhere in the State of Maryland. If HB 1282 was law, this would not be the case, as passing HB 1282 would eliminate the second investigation that serves to only protect the abuser, using taxpayer money at the expense of our vulnerable adult population in Maryland.

In conclusion, for many of you here today, I realize that HB 1282 is a matter of funding and caseload distribution, which is of the utmost importance when considering the best use of taxpayer money. I am here today to appeal to all of you to also consider above all else our vulnerable adults and their quality of life.

Our son Adam was not the only victim on August 7, 2019. The other four state residents in the van that day were also victims as their foundation was shaken. If this was allowed to happen to Adam, it could happen to them as well. Many dedicated health care workers are also victims as they feel powerless, become disheartened, and leave when they see abuse not addressed.

If we do not remove obstacles that protect abusers, we are complicit in returning care of our vulnerable adult citizens to a time that taxpayers found abhorrent and undoubtedly still do.

I am available for any questions you may have or any help I can give to facilitate the passage of HB 1282.

Sincerely,

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Supporting Documentation Attachments:

Attachment 1: Proof of Guardianship – Adam Siettas

Attachment 2: Adam Siettas Bruise Pics: 1-6

Attachment 3: Investigation Results from the Office of Healthcare Quality

Attachment 4: Maryland Attorney General Investigation Results – Assault of Adam Siettas – Email Correspondence.