

LAW OFFICE OF KARREN POPE-ONWUKWE, LLC

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February 18, 2021

RE: SUPPORT OF HB0983F

My name is Karren Jo Pope-Onwukwe, I live at 6001 43rd Street, Hyattsville, Maryland. Since 2000, I have operated the Law Office of Karren Pope-Onwukwe where I am an Elder Law and Disability Rights attorney. I am a past chair of the Elder Law and Disability Rights Section Council of the Maryland State Bar Association and the past co-founder and chair of the Elder Law Section of the Prince George's County Bar Association. I am currently a Commissioner on the American Bar Association Commission on Law and Aging, chair of the Elder Law Committee of the Senior Lawyers Division of the American Bar Association and Advisor to the Elder Affairs Committee of the Civil Rights and Social Justice Committee of the American Bar Association.

For the purposes of this testimony in support of HB0983F the most relevant position I hold is a member of the Adult Public Guardianship Review Board ("APGRB") of Prince George's County, Maryland. Pursuant to COMAR 07.02.16.15 each jurisdiction in Maryland has a APGRB charged with six month reviews of all public guardianships in each jurisdiction and to advise the Circuit Court if the guardianship should be continued, modified or terminated (<https://dhs.maryland.gov/office-of-adult-services/adult-public-guardianship/>).

Due to the COVID-19 lockdown of nursing homes, the APGRB was initially faced with the inability to physically meet and receive any information concerning people subject to a guardianship administered by our local Department of Social Services and our Area

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Agency on Aging. By April 2020, we transitioned to virtual board meetings. We were alarmed by the reports of our guardians and attorneys that were being rebuffed or in some cases completely ignored by some nursing home facilities making it necessary to postpone schedule hearings. This problem was magnified because some nursing homes were doing an outstanding job providing our guardians and attorneys access to residents while other facilities were making no effort. Determined to see if there was a “stick” that could be used to prod the facilities that did not develop alternative communication methods for their residents, I contacted Disability Rights Maryland (a copy of attorney Megan Rusciano’s response dated September 10, 2021 is attached hereto and incorporated herein). We were prepared to forward to Disability Rights Maryland the names of the nursing home facilities that did not voluntarily comply with the law and spirit of the attached letter. My concern is that the APGRB was able to advocate for people subject to a public guardianship. Unfortunately, people that are private pay at a nursing home facility have no one but their family members to try and fight for their right to communicate with their loved ones. Do we really want family members, agents under legally sufficient power of attorneys and court appointed legal representatives to have to resort to court action to force a nursing home to facilitate reasonable accommodations for people to be able to communicate with their residents? Please vote in favor of HB0983F.

Best Regards,

A handwritten signature in black ink, appearing to read 'Karren Jo Pope-Onwukwe', with a long horizontal flourish extending to the right.

Karren Jo Pope-Onwukwe
Attorney at Law