

Testimony of the Alzheimer's Association Greater Maryland and National Capital Area Chapters
**SB 795 - Oversight Committee on Quality Care in Nursing Homes and Assisted Living Facilities –
Membership and Cochairs**

Position: Unfavorable

Chair Kelley and Vice Chair Feldman,

My name is Eric Colchamiro, Director of Government Affairs for the Alzheimer's Association in Maryland, and here today respectfully in opposition to SB 795.

This legislation alters the membership of the Oversight Committee on Nursing Homes and Assisted Living Facilities, requires that the Oversight Committee be chaired by two cochairs elected from among its members, rather than by the Secretary of Aging; requires that at least 80 percent of the Oversight Committee positions be filled before a cochair is elected; and specifies that the term of a cochair is one year, and a cochair may not serve more than two terms

The Oversight Committee has been in law since 2000, and the legislation which authorizes it was updated in 2005 and 2018. This multi-stakeholder committee was formed to expand the consumer voice and create more consistent oversight of the essential long-term care industry. It is an industry which, in the nursing home space, has an increasing number of mergers and acquisitions; since the Oversight Committee was first created, real estate investment trusts can now own and operate facilities for Maryland's seniors. And among assisted living providers, while the vast majority of providers operate small facilities, the eight percent of facilities over 50 beds have the majority of the patient population.

The Oversight Committee's work has taken on heightened importance amidst the COVID-19 pandemic, which has disproportionately impacted long-term care facilities; the committee convened monthly in the summer of 2020, and issued an annual report with a series of findings, which was the result of multiple subcommittee conversations. Thank you to Senator Eckardt and Senator Beidle for being active participants in both the subcommittee and the full committee.

The purpose of the Oversight Committee, to evaluate progress in improving the quality of nursing home and assisted living facility quality statewide, is appropriate. Its work to develop proposals on how to improve nursing home and assisted-living facility care is also important. The execution of these goals is lacking.

The Alzheimer's Association is concerned, however, about this legislation. We welcome LeadingAge joining this Committee; yet the existing structure—where there are 31 different seats—allows for their organization to participate, without adding solely an industry seat to an industry Oversight Committee. Overall, the Committee is not lacking for members or attendees; there are currently 31 positions, and 83 percent of them are filled. Additionally, Oversight subcommittee meetings in the summer and fall of 2020 consistently had over 20 participants, frequently including Maryland Department of Health's Director of the Office of Healthcare Quality Dr Patricia Nay.

In addition, the Secretary of Aging is an ideally neutral chair of this committee; their position in Cabinet can help elevate the need to improve this industry and bring the stakeholders together. And I do not believe a

system of rotating chairs, where a for-profit industry representative could oversee this Oversight Committee, is an effective solution for evaluating the quality of care in the long-term care industry.

All told, the structure of the committee is not the problem; it is the implementation of the Oversight Committee. The Alzheimer's Association would be happy to participate in conversations about how to improve the Committee with members of Senate Finance and elected official representatives on the committee. Solutions could include: an annual briefing for elected officials each interim session; a joint meeting, each year, with the Maryland Medicaid Advisory Committee; and a set schedule of more regular Oversight Committee meetings overall.

Again, thank you to Senator Eckardt for raising attention to the need for a more effective Oversight committee. Yet I recommend an unfavorable report on SB 795, as it is not the right way to reform the important work of this Committee.