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**SB 795 Oversight Committee on Quality Care in Nursing Homes and Assisted Living
Facilities – Membership and Cochairs
UNFAVORABLE
March 11, 2021
Senate Finance Committee**

Good Afternoon Chairwoman Kelley and Members of the Senate Finance Committee. I am Tammy Bresnahan, the Associate State Director of Advocacy for AARP MD. AARP MD has over 890,000 members in Maryland many of whom you represent. AARP MD respectfully opposes SB 795 Oversight Committee on Quality Care in Nursing Homes and Assisted Living.

SB 795 alters the membership of the Oversight Committee on Nursing Homes and Assisted Living Facilities by adding another representative for the industry. In addition, HB 795 would remove the chairmanship of the oversight committee from the Secretary of Aging or the Secretary's designee, to a shared chairmanship filled by two members of the committee.

The Long Term Care (LTC) industry has faced many challenges over the years, and the tremendous loss of life from COVID-19 has only served to amplify the need for strong oversight from this committee. The institutions that serve so many older and infirm Marylanders were created based on rules and laws passed decades ago, when needs and expectations were different. As you know nursing home funding and oversight come in large part from the state and federal budgets that can be stingy. Assisted living facilities have little rules and regulatory oversight. Most nursing homes and assisted living are privately owned, meaning there is little transparency into their finances and operations. Are they, as they claim, pinching pennies to survive, or are they profiting at the expense of quality care?

As the past 10 months have revealed, such a fraught arrangement couldn't withstand the pressure test of COVID-19; thousands of residents and workers have died due to the coronavirus, representing about 40 percent of the total pandemic fatalities in Maryland. As a member of the oversight committee, we don't believe that we need more representation from the industry on the oversight committee.

Since the late 1960s, citizen groups have organized to improve conditions in nursing facilities and other long term care facilities. Similar groups have been organized at the state and national levels with a focus on public education and advocacy. These groups provide an important complement to consumer advisory teams, community councils, ombudsman programs, and quality improvement groups that function to promote the development of quality services within long-term care settings.

Real Possibilities

They are typically directed and staffed by the state or consumer activists and perform a variety of functions, including consumer education and support; monitoring and reporting facility and program adherence to regulations and quality standards; advocacy for care reform and policy development; and support of local advisory and governance groups within long-term care settings.

AARP doesn't believe that the Oversight Committee Chair should be amended to add yet another industry representative and remove the secretary of aging, creating a co-chaired/revolving chairmanship. AARP Maryland urges the committee to reject changing the chairmanship of the Oversight Committee from the Secretary of Aging to a co-chair arrangement from amongst the committee membership. The residents of our LTC facilities deserve to have the Committee led by the highest levels of state government. While we understand that the Secretary of Aging might see this as an unnecessary function, these are our citizens—our vulnerable citizens, most of whom are over the age of 65. They are our moms and dads, grandmas and grandads, our husbands and our wives. This pandemic has killed many of them and we need to make sure that LTC and its funding is a priority for the Department of Aging. Almost half of all people who live in a LTC setting are 85 years or older. Relatively few residents are younger than 65 years of age. Most are women (72%), many of whom do not have a spouse (almost 70% are widowed, divorced, or were never married).

Assuring older vulnerable adults are financially secure and safe and receive the best care are key components of our advocacy agenda. AARP strongly believes that all individuals have the right to be self-reliant and live with dignity in retirement whether at home or in a facility. AARP is working hard to strengthen safety for vulnerable adults when they can no longer care for themselves.

AARP firmly believes that state governments should monitor and enforce regulations as mandated by the quality reform provisions of the Nursing Home Reform Act and pass updated regulations on assisted living.

We respectfully ask the Senate Finance Committee for an unfavorable report on SB 795. If you have any questions please feel free to contact Tammy Bresnahan at tbresnahan@aarp.org or by calling 410-302-8451.