



HB 1118 Health Care Facilities – Discrimination

House Health and Government Operations Committee

SUPPORT

March 9, 2021

Delegate Pendergrass and Members of the Committee,

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD), we would like to express our support for House Bill 1118, Health Care Facilities – Discrimination.

One of the core principles of social work practice is dignity and worth of the person, meaning every person has value and that social workers are supposed to accept and respect them for who they are. This means not discriminating. Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) persons face a long history of discrimination in this country. Older adults in particular experienced this discrimination throughout their upbringing, fought for legal protections, and have watched with dismay as state legislatures across the country have enacted laws allowing discrimination once again.

Many LGBT older adults are aging, as is the rest of the population, and LGBT older adults have reported serious concerns about the discrimination they have faced and will face when they are dependent on others for care. In AARP’s 2018 survey, [“Maintaining Dignity: Understanding and Responding to the Challenges Facing Older LGBT Americans.”](#), more than half of their respondents reported fears of harassment, refusal of services, or having to hide their identity to access services if they were to need long term care. This corroborates the previous study of the National Senior Citizens Law Center [“Stories from the Field”](#) which found that LGBT older adults in long term care actually experienced harassment from other residents and staff, restriction of visitors, staff refusing to provide care, and staff refusing to accept a properly executed medical power of attorney from a same sex partner.

HB 1118 is consistent with federal nursing home standards which require certified facilities to “provide services and activities to attain or maintain the highest practicable physical, mental, and psychosocial well-being [of each resident].” (42 CFR § 483.24) Residents also have the right “to freedom from abuse, neglect, and exploitation.” (42 CFR § 483.12)

This bill will help prevent discrimination and harassment of long-term care residents in Maryland.

We urge you to vote YES on HB 1118.

Thank you,

NASW-MD Committee on Aging