



6811 Campfield Road  
Baltimore, MD 21207

**TO:** The Honorable Shane Pendergrass  
Chairwoman, Health & Government Operations

**FROM:** LeadingAge Maryland

**SUBJECT:** House Bill 1292, Baltimore City - Nursing Homes and Assisted Living Programs  
- Social Workers

**DATE:** March 4, 2021

**POSITION: Unfavorable**

LeadingAge Maryland writes to request an unfavorable report on House Bill 1292, Baltimore City - Nursing Homes and Assisted Living Programs - Social Workers..

LeadingAge Maryland is a community of not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. We represent more than 120 not-for-profit organizations, including the vast majority of CCRCs in Maryland. Our mission is to expand the world of possibilities for aging in Maryland. We partner with consumers, caregivers, researchers, faith communities and others who care about aging in Maryland.

This bill requires each nursing home and assisted living program in Baltimore City to designate a licensed social worker for each resident to serve as the resident's case manager. The social worker is authorized to provide services for nursing home or assisted living program residents that will help them attain or maintain their physical, mental, and psychosocial status.

Existing law requires social work services in nursing homes. Specifically, 42 Code of Federal Regulations Section 483.70 requires any facility with more than 120 beds employ a qualified social worker on a full-time basis. The regulations define a qualified social worker as (1) an individual with a minimum of a bachelor's degree in social work or a bachelor's degree in

a human services field including, but not limited to, sociology, gerontology, special education, rehabilitation counseling, and psychology and (2) one year of supervised social work experience in a health care setting working directly with individuals.

Further, Section 10.07.02.30 of COMAR makes clear that each nursing home must provide or make arrangements for services to identify and meet the resident's medically related physical, social, and behavioral health needs. Social services responsibilities in the nursing home shall be assigned to a licensed bachelor social worker, licensed graduate social worker, licensed certified social worker or licensed certified social worker-clinical. If the social worker is not a licensed certified social worker (LCSW) or a licensed certified social worker-clinical (LCSW-C), the nursing home must arrange for an LCSW or LCSW-C to provide sufficient hours of supervision.

LeadingAge Maryland appreciates the Sponsor's intent and focus on improving the standard of care in long-term care facilities. The long-term care industry has been on the front lines of COVID-19 and has not been immune from the operational and fiscal obstacles. Whether it is ensuring appropriate levels of personal protective equipment or access to sufficient testing kits, our sector has been impacted. Providers have faced mounting costs and decreases in revenue over the last year. The costs of required testing, PPE, increased pay for staff (including overtime and incentive pay) have cost providers hundreds of thousands to even millions of dollars. . These were unbudgeted and ongoing expenses. Some organizations received federal and/or State funds to offset some of the increased cost. Unfortunately, that funding has failed to cover the full impact of the expenses and many providers are facing significant financial strife. This legislation's requirement, particularly on assisted living facilities, will further exacerbate an already challenged industry.

For these reasons, LeadingAge Maryland respectfully requests an unfavorable report for House Bill 1292.

For additional information, please contact Aaron J. Greenfield, 410.446.1992

