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Senate Finance Committee
SB 824 – Health – Accessibility of Electronic Advance Care Planning
Documents
March 10, 2022

Position: Favorable with amendment

The Maryland Association of Community Services (MACS) is a nonprofit association of over 100 agencies across Maryland serving people with intellectual and developmental disabilities (IDD). MACS members provide residential, day and supported employment services to thousands of Marylanders, so that they can live, work and fully participate in their communities.

SB 824 applies to health care facilities as defined in § 11-119 of Health General. This part of the statute includes “related institutions” which also captures group home providers licensed by the Developmental Disabilities Administration. SB 824 presents technical challenges to compliance with the provisions of this bill for DDA providers, the most significant being a lack of access to the state-designated health information exchange (HIE).

Beyond the technical barriers to compliance, it is worth noting that unlike nursing home settings and other facilities contemplated by this bill, people with IDD who receive residential community supports also receive their medical care in the community and are thus able to seek support from their doctors regarding medical issues addressed in an advanced care planning document, including the potential benefits or risks of various options.

MACS thus seeks the following amendment language clarifying that the bill does not apply to DDA community providers:

**THIS TITLE DOES NOT APPLY TO COMMUNITY PROVIDERS AS DEFINED
IN § 7-307 OF THE HEALTH – GENERAL ARTICLE.**

Thank you for your consideration.

Respectfully submitted,

Lauren Kallins
Director of Government Relations