



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland

Senate Judicial Proceedings Committee HB 161: Criminal Law – Exploitation of Vulnerable Adult – or Elderly Individual—Undue Influence

Position: Support

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The Maryland Developmental Disabilities Coalition is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for Marylanders with intellectual and developmental disabilities (IDD).

Health and safety is central to the core mission of enabling people with intellectual and developmental disabilities (IDD) to live meaningful, inclusive lives in their communities. This mandate includes protecting the financial safety of the people that the Coalition represents and supports.

COMAR regulations require that DDA licensed providers ensure that there is “adequate protection for the finances and property of each individual” for whom they provide supports (COMAR 10.22.02.10). In addition to COMAR’s mandates, IDD providers are also subject to extensive investigatory and reporting requirements of incidents that threaten the health, safety and welfare—including the financial welfare- of people receiving community supports. Theft of a person’s funds or property is considered a reportable offense under the incident management system to which DDA licensed providers are subject. However, these regulations apply only to providers and staff and many providers recount situations of people with IDD whom they support who have inherited a home or other resources, and who are suddenly approached by family members or acquaintances, largely or wholly absent from the person’s life until the inheritance, who attempt to transfer the property into their own names.

The Attorney General’s office notes that “abuse and neglect of elderly and vulnerable adults is escalating in our communities” and that “for every case of abuse that is reported to authorities, experts estimate that as many as five cases go unreported.”

<https://www.marylandattorneygeneral.gov/MFCU%20Documents/VulnerableAdult.pdf>

We believe this bill will provide the courts with an additional tool for protecting people with IDD from such exploitative conduct.

Respectfully submitted.

For additional information, contact Lauren Kallins, LKallins@macsonline.org