

Testimony of the Alzheimer's Association Greater Maryland and National Capital Area Chapters
HB 774 - Assisted Living Programs – Unlicensed Programs – Resident Abuse and Neglect
Position: Favorable

Chair Pena-Melnyk and Vice Chair Cullison,

The Alzheimer's Association – representing the over 110,000 Marylanders with Alzheimer's and other forms of dementia, along with their caregivers – is here today in strong support of House Bill 774, which requires the Maryland Department of Health, or a designee of the Department, to investigate whether residents in an assisted living program have been subject to neglect or physical abuse if the assisted living program is operating without a license; subjects certain assisted living programs operating without a license to immediate prosecution under a certain provision of law under certain circumstances, and other measures.

According to the Maryland Department of Health Office of Healthcare Quality—and their most recent annual report—there are, as of July 1, 2021, 1672 assisted living providers in our state. That is a number which increased, and did not decrease, in the first year of the pandemic. There are also ¾ of them who have 9 or fewer beds; these small providers often do not have a sign on their front door or a commercial kitchen, yet they are necessary entities which serve Marylanders. And there are also an unknown number more of unlicensed assisted living providers. Facilities who care for our most vulnerable Marylanders, who provide necessary services, yet they are not inspected annually.

This legislation tightens regulations on unlicensed providers. It is an important part of the equation, and we are grateful—particularly—to the Long-Term Care Ombudsman for their work in this space, in every county, highlighting resident rights. People with dementia are especially vulnerable because the disease may prevent them from reporting the abuse or recognizing it. In addition, as people with Alzheimer's gradually lose their ability to find words, express thoughts and follow conversations, they also have more difficulty understanding others. Communication changes during the middle stages include trouble finding the right word, repeating questions, losing the train of thought, reverting to a native language and relying on non-verbal communication. They are vulnerable.

We thank the Attorney General for highlighting the importance of this issue, we are also grateful for legislation this Session which looks into Elder Abuse more broadly—including with representatives of their long-term care ombudsman's office—and we urge a favorable report on this bill.