



**2023 SESSION
POSITION PAPER**

- BILL:** SB 665 – Assisted Living Programs – Unlicensed Programs – Resident Abuse, Exploitation, and Neglect (The Senator Delores Kelley Residents of Unlicensed Programs Protection Act)
- COMMITTEE:** House Health and Government Operations Committee
- POSITION:** Letter of Support As Amended
- BILL ANALYSIS:** Senate Bill (SB) 665 requires the Maryland Department of Health or the Office of Health Care Quality, to investigate whether residents in an assisted living program have been subject to neglect, exploitation, or abuse if the assisted living program is operating without a license, subjecting certain assisted living programs operating without a license to immediate prosecution under a certain provision of law under certain circumstances, and other related provisions.

POSITION RATIONALE: The Maryland Association of County Health Officers (MACHO) supports SB 665 as amended in the Senate. The bill now specifies *that the Office of Health Care Quality (OHCQ) is the designee (Page 2, Lines 17-18)*, the entity responsible for oversight and inspections of nursing homes and assisted living facilities and the understood intended program assigned the work in SB 665. Health Officers were concerned that local health department staff could be designated with investigatory responsibilities given the original undefined reference on Page 2, Line 18, and the subsequent reference to “Local Health Officer” on Page 3, Line 21. We understand after assurance by the various stakeholders, that these activities were intended to be totally under the purview of OHCQ.

MACHO agrees with those same stakeholders that it is appropriate for the Health Officer to be included on Page 3, Line 21, along with the Attorney General, and State’s Attorney, for the purpose of assisting with any injunction of an unlicensed facility, when necessary.

We appreciate the Attorney General’s efforts to safeguard residents of assisted living facilities and will support state efforts to ensure the safety of those residents in safe facilities.

For these reasons, the Maryland Association of County Health Officers supports SB 665 as amended. For more information, please contact Ruth Maiorana, MACHO Executive Director at rmaiora1@jhu.edu or 410-937-1433.