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MAYOR

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SB0863

March 1, 2024

TO: Members of the Senate Finance Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 863 – Office of the Attorney General - Rights of Residents of Health Care Facilities - Injunctive Relief and Penalties

POSITION: SUPPORT

Chair Beidle, Vice Chair Klausmeier, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 863.

SB 863 establishes a bill of rights for residents of assisted living facilities in Maryland. These rights include the right to receive appropriate health care treatment, to be free from mental, physical, verbal, and sexual abuse, to participate in making decisions about being transferred to another facility or discharged, to be free from physical and chemical restraints, and to have control over one's finances. The bill also enables the Office of the Attorney General to seek injunctive relief, as well as impose a fine of up to \$10,000, if a facility is violating these rights. SB 863 addresses a significant gap in legal protections for older adults and persons with disabilities: the vulnerability of assisted living residents to physical, financial, and psychological abuse.

Baltimore City is home to more than 500 licensed assisted living facilities, and that number is growing. The Baltimore City Long Term Care Ombudsman program is mandated by federal and State law to act as an advocate for residents of these facilities. The City Ombudsman is witnessing increases in neglect, financial exploitation, and social isolation of residents in a significant number of assisted living homes. These residents, who have very limited incomes, are often afraid to protest their treatment because they fear that they are one step away from being discharged into a hospital emergency room or from becoming homeless. This is a terribly precarious position to be in – no one should have to endure abuse for fear of losing their home. SB 863 helps protect these residents' rights and wellbeing and incentivizes facilities to not tolerate abusive behavior.

For these reasons, the BCA respectfully request a **favorable** report on SB 863.