



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

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

March 1, 2024

SB 825 – Health Facilities – Delegation of Inspection Authority – Related Institutions and Nursing Homes Position: Favorable with Amendment



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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.



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What does SB 825 bill do?

- Requires the Secretary of Health, upon request by a local unit of government, to delegate the authority for inspection, site visits, and incident reporting, to the local government for related institutions and nursing homes.

With the inclusion of related institutions, SB 825 brings group homes licensed by the Maryland Developmental Disabilities Administration (DDA) into this requirement, but not other services licensed by DDA. DDA-licensed community providers provide an array of supports and services, ranging from residential services to day habilitation, employment supports, and a variety of support services that help people to live full lives in their communities.



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SB 825 would have the effect of splitting oversight of the vast array of services provided by developmental disability community providers between local jurisdictions for some services, and the State for other services.



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The oversight of DDA licensed services is critically important, and it is vital that there be clarity and consistency in the oversight process. Providers follow a complicated process for maintenance of licensure, with guidelines for incident reporting and investigations, site visits, periodic and annual inspections. Splitting the responsibility for these functions between County and State agencies would create inconsistency and confusion for community providers.

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It is also unclear what authority a local jurisdiction would have to respond to incident reports and other citations. The authority of the State in these matters is clear.

What is the remedy?



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Settings licensed or approved by the Developmental Disabilities Administration should be excluded. This may be done by narrowing the definition of institutions and settings for which authority may be delegated, and removing the authority from applying to the broad term of “related institutions”.

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