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WRITTEN TESTIMONY

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

Finance Committee

March 1, 2024

SUPPORT

Background: Senate Bill 863 would authorize the Attorney General to seek injunctive relief on behalf of the State against certain health care facilities based on an imminent or ongoing violation of certain rights of residents. It also requires the Department of Health to create a resident bill of rights which must include, at a minimum, several outlined rights such as the right to participate in decision making regarding transitions in care and the right to manage personal financial affairs.

Written Comments: Every older adult deserves to be safe, however, right now in Maryland, we know that is not the case. Several Associated agencies, including, Jewish Community Services (JCS), Comprehensive Housing Assistance Inc. (CHAI), and CHANA provide services to the rapidly aging Baltimore Community. CHANA offers a Jewish community response to the needs of people who have experienced abuse or trauma. This agency is dedicated to the elimination of domestic violence, sexual abuse, elder abuse and all forms of interpersonal violence. In 2013, CHANA initiated the state's first Elder Abuse program to prevent all forms of abuse including child to parent abuse, caregiver to senior abuse, or intimate partner situations.

SB863 is greatly needed. It would create safeguards against bad acting assisted living owners who move people around in unprotected ways, without their consent. It would also give the Attorney General the ability to quickly intervene in these instances with injunctive, not just financial, repercussions. While there are resident rights listed in the COMAR regulations for assisted living facilities, these rights do not include some of the biggest areas riddled for abuse, including the right to notice of transfer or discharge or the right to participate in that decision making. SB863's inclusion of these rights is an important step in helping deter abuse.

With this in mind, the Baltimore Jewish Council urges a favorable report of SB863.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish com