

March 21, 2024

The Honorable Will Smith
Chair, Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, Maryland 21401

RE: TESTIMONY ON HB0359 - Petition for Guardianship of the Property of Alleged Disabled Person - Stay of Civil Actions and Proceedings - POSITION: FAVORABLE

Dear Chair Smith and Members of the Judicial Proceedings Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for the opportunity to provide written testimony in favor of House Bill 359 (HB 359).

With offices in every one of Maryland's jurisdictions, we empower Marylanders to reach their full potential by providing preventative and supportive services, economic assistance, and meaningful connections to workforce development and career opportunities. The Social Services Administration within DHS implements the Adult Services programs which are impacted by HB 359.

HB 359 strengthens protections offered to adults who might need a substitute decision-maker due to significant impairment caused by disease, accident, or disability, during the guardianship process. HB 359 prevents legal actions against property, including evicting or foreclosing on an alleged disabled individual during the guardianship process. Preventing eviction or foreclosure ensures housing security for alleged disabled people during the process of establishing guardianship. In addition, protecting the alleged disabled individual's housing reduces the burden on a local department of social services which may become the guardian for an alleged disabled individual and be required to determine where the person will reside. The burden on the agency is reduced when an individual is able to maintain existing housing arrangements. Moreover, foreclosure or eviction could prevent an individual who is the subject of a pending guardianship from remaining in the community. One of the goals of services for adults is helping them remain in their community when that is a viable option. Preventing foreclosure or eviction furthers the goals of our adult services programs.

We appreciate the opportunity to provide favorable written testimony to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Rafael Lopez', written over a white background.

Rafael López
Secretary

