



Date: February 20, 2024

To: Chair Smith, Vice Chair Waldstreicher and Judicial Proceedings Committee Members

Reference: SB759-Estates and Trusts-Guardianship of the Person of a Disabled Person Expedited Proceedings

Position: Favorable

Dear Chair Smith and Judiciary Committee Members,

On behalf of LifeBridge Health, we appreciate the opportunity to comment and provide our support for Senate Bill 759. LifeBridge Health is a regional health system comprising Sinai Hospital of Baltimore, an independent academic medical center; Levindale Hebrew Geriatric Center and Hospital in Baltimore; Northwest Hospital, a community hospital in Baltimore County; Carroll Hospital, a sole community hospital in Carroll County; Grace Medical Center (formerly Bon Secours Hospital), a freestanding medical facility in West Baltimore.

As the committee is aware, Maryland hospitals are open 24/7/365 and care for every person who enters the emergency department. Due to several barriers and issues, hospitals are facing significant delays and wait times throughout the system. We face on a regular basis over capacity. This is a national issue. At Sinai hospital at any given day our clinical team is searching for around one hundred open beds for inpatient needs, while the emergency department is at full or almost at full capacity around the clock.

Delays in the system are created by several reasons, including patient volume, acuity of cases, discharge process and seasonal fluctuations. Hospital caregivers constantly work to balance the influx of patients, prioritizing those with life-threatening conditions while attending to less urgent cases as quickly as possible. One of the factors that we see often that exacerbated by existing laws is the inability to transfer patients to appropriate skilled nursing and therapeutic environments in a timely matter.

Within the LifeBridge Health system alone we see significant delays waiting on guardianship hearings and determinations that often leave our most fragile, vulnerable patients lingering in the hospital awaiting decisions. The data below shows on average how long a patient needing temporary guardianship waits for hearing within our hospitals.

- 78 days (2.5 months) in Carroll County,
- 122 days (4 months) in Baltimore County: 2 petitions for guardianship submitted in October and November 2023 with no assigned hearing dates are still in pending status.
- 119 days (months) in Baltimore City: Of the cases waiting we had four patients pass in the hospital within 10 days of the guardianship order being granted.

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The Maryland Hospital Association with its members identified way to address this overall critical issue of hospital throughput to alleviate delays. A number of recommendations were identified that includes improving the guardianship process in Maryland. By legislative action we need to reform the expedited health care guardianship process. The bill before you seek to improve the process by the following:

- Expedited health care guardianships accelerate the guardianship hearing and approval process for patients in health care settings.
- Patients will have the same due process rights—notice and right to hearing—as with standard guardianship.
- On behalf of the patient, allow hospitals to petition the court for permanent guardianship at the end of the expedited health care guardianship.

For all the above stated reasons, we request a Favorable Report on SB759.

For more information, please contact:

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