

SENATE FINANCE COMMITTEE
SB0465: HEALTH CARE FACILITIES—NURSING HOMES AND
ASSISTED LIVING PROGRAMS—VIDEO RECORDINGS
FEBRUARY 7, 2025
LETTER OF INFORMATION

Disability Rights Maryland (DRM) is the federally designated Protection and Advocacy (P&A) agency in Maryland, mandated to advance the civil rights of people with disabilities. **DRM offers this letter of information regarding Senate Bill 0465, which would require installation and maintenance of video surveillance equipment in the common areas of all nursing facilities and assisted living programs.**

The issue of requiring video surveillance in nursing homes and assisted living facilities is complex. There are several important factors to consider, including the following:

- Technical issues, such as the quality of video footage, interfering noise, and lack of coverage of parts of a common area of a facility due to improper camera placement and/or camera operator error.
- Privacy issues, such as whether collected video footage constitutes electronic protected health information (e-PHI) under the Health Insurance Portability and Accountability Act (HIPAA); perceptions by nursing home or facility staff about whether the presence of surveillance cameras conveys a lack of trust in them or protects them; and who may access video footage.
- Safety issues, such as whether residents of nursing homes and assisted living facilities are actually safer when surveillance cameras are in use; or whether continuous and uninterrupted video surveillance creates a false sense of safety and protection against abuse, neglect, and exploitation.
- Financial burdens, such as the cost of purchasing, installing, monitoring, and routinely maintaining video surveillance equipment in facilities.

- Possibility that nursing homes and assisted living facilities may misconstrue SB0465's definition of "common area" versus "private space" with respect to meeting places utilized by residents, such that video surveillance equipment is placed in areas of the facility where residents have a reasonable expectation of privacy.
- Possibility that video footage will allow residents and their families to understand events that have transpired inside nursing homes and assisted living facilities when a resident reports or presents with unexplained injuries or changes in behavior.
- Possibility of perceptions that residents require less oversight and monitoring due to the presence of video surveillance equipment; potential for complacency in resident care, oversight, and monitoring.

Each of these issues requires thoughtful discussion. Review of laws related to the use of electronic monitoring equipment in nursing homes and assisted living facilities in the state of [Washington](#) may be instructive in answering the above questions.

Respectfully Submitted,

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