



HB 1070
Maryland Department of Health - Access to Telephones - Study
Health and Government Operations
Hearing on February 21, 2025
Position: Favorable

Maryland Legal Aid (MLA) submits its written and oral testimony in support of HB 1070, at the invitation of Delegate Woorman.

Maryland Legal Aid (MLA or Legal Aid) asks that the Committee report **favorably and pass HB 1070**, which would study the feasibility of installing and maintaining a land-line telephone system in nursing homes, psychiatric and assisted living facilities.

MLA is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our twelve offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including representation of adults residing in psychiatric hospitals, skilled nursing facilities and assisted living facilities in legal matters relating to health care access, long-term care, safety and evictions in health care facilities and guardianship.

As the nature of healthcare changes, including private equity investment, skilled nursing facilities and assisted living facilities are cutting costs in ways that negatively impact residents' basic daily care, as well as their privacy and connection to support systems. One common cost reduction measure is the lack of telephone access in a resident's room. Older adults are becoming more confident with technology, but a great many of our low-income clients neither have email nor a cell phone. A room telephone is frequently their only method of communication method with the outside world – even if only to file complaints to the government about their care.

Legal Aid regularly provides representation to residents in psychiatric facilities, skilled nursing and assisted living facilities who lack access to a telephone. This lack of telephone access interferes with access to complain about treatment in a facility to State agencies or the police. It also interferes with attorney-client communication. All attorneys who represent people in nursing and assisted living facilities are very careful to observe protocols relating to attorney-client privilege. It is common for us to receive telephone calls from potential clients from a facility nurse's station, which is a very public-facing location where staff and residents alike can listen in on telephone calls. We frequently see clients who need a telephone call relating to his eviction appeal on very private legal rights, but only have access to a roommate's cell phone, who is listening in. A confidential, reliable telephone connection between client and attorney is important to protect a client's rights; including, as another example, averting an order of guardianship. Telephone calls to clients residing in psychiatric facilities are never private, because land-lines exist but only in the hallways.

With regard to potential clients, we frequently see them facing a very hard choice between waiving confidential communications and the inability to speak over the telephone at all. For these reasons, MLA staff drive long distances all over the State, in order to effectively communicate with our clients and potential clients. Please note that we provided this testimony at the predecessor bill last year, 2024 SB 813, which applied to health care facilities, generally.

The current bill focuses only on psychiatric facilities, nursing homes and assisted living facilities, and requires the Health Department to conduct a study and make recommendations on the establishment of land-line telephone systems. These limitations will reduce expense of installation, but MLA urges the Committee to still understand that the sudden absence of telephones in patient rooms is equally applicable to hospitals. MLA attorneys have visited many major institutions in Maryland, such as Johns Hopkins Hospital, and noted the lack of telephone equipment in patient rooms. Elimination of telephones has become a cost-cutting measure at expense to patient safety and communication. Internal bell calls are not a substitute for the ability of independent patient communication to family, police, State agencies and counsel.

Hundreds of our clients routinely express fear and dismay at the failure of facility staff to answer bell calls. Our staff frequently observe this occurrence as well. We urge the General Assembly to remain vigilant in the protection of these vulnerable patients and residents.

We also hope that Maryland Legal Aid will be considered to be a required advocacy stakeholder for consultation purposes during the study period, and that the written final report be delivered to all advocacy organizations.

MLA urges a favorable report on and passage of HB 1070. Please contact Cornelia Bright Gordon at cbgordon@mdlab.org if you need additional information or have any questions.