

HB 1409 Health - Medical Care Facilities - Electronic Monitoring Devices

March 6, 2025

FAVORABLE

Testimony by BJ Carter 4620 N Park Ave. 302W Chevy Chase, MD 20815

Hello, my name is BJ Carter and I live in Chevy Chase, Maryland. I am here to speak in support of HB 1409.

This bill is very important to me and every other family who has a loved one in a nursing home, assisted living, or special Alzheimer's care unit or memory care. My husband, who passed away in January, was in assisted living and then in memory care. When he moved to the memory care floor, I purchased a Blink camera for his room.

Both video and audio recordings are necessary to truly monitor quality of care:

- Video to see the interactions, watch for falls, and be alert for gaps in care such as when my husband lay on the floor for 4 hours during the night because no one checked on him.
- And audio to capture the verbal and emotional elements of the interaction as well as to hear if our loved ones are moaning in pain and need attention.

In Maryland right now, these facilities can refuse to allow families to place a camera in their loved one's room. And if the facility does allow it, and even with appropriate signage on the door indicating the placement of a recording device, the State of Maryland has guidelines that audio recording is not permitted in nursing homes. I have uploaded these guidelines. At the assisted living where my husband was, their policy was to only allow audio if state regulations said they had to allow it.

In a November 2007 review of Maryland nursing home regulations provided to the General Assembly -which I also uploaded- it was noted that a change was needed to clarify that electronic monitoring is to be considered a healthcare/medical decision with the same provisions for advance and surrogate decision-making as other health care decisions. I agree.

It's why I'm here today to urge you to support HB 1409. It's time to correct this for all families who care about their loved ones. These facilities should be required by law to allow families to monitor for quality of care with video and audio recording with appropriate signage.

Thank you for your time and attention. I am happy to answer any questions you may have.