



HB0962 (SB0696) Public Health - Pediatric Hospital Overstay Patients
February 26, 2025
House Health and Government Operations Committee
Position: FAVORABLE

Maryland Legal Aid (MLA) submits written and oral testimony on HB962.

MLA urges the Committee's favorable report on HB962. MLA serves residents in each of Maryland's 24 jurisdictions, providing free legal services to the State's low-income and vulnerable residents in a range of civil legal matters. MLA is Maryland's largest civil non-profit law firm, representing vulnerable young people in Child in Need of Assistance (CINA) matters across the State.

HB962 specifies that the scope of the Maryland Mental Health and Substance Use Disorder Registry and Referral System includes both private and State inpatient and outpatient mental health and substance use services, requiring the Maryland Department of Health, in coordination with the Department of Human Services, to ensure pediatric hospital overstay patients are placed in the least restrictive setting possible.

We support this bill's efforts to resolve the issue of children remaining in hospital for months and months after they are cleared for discharge. We have clients that would benefit directly from this proposed legislation.

Children should not remain in hospitals after being medically discharged because it can negatively impact their development, mental well-being, and quality of life by interrupting their normal routines, separating them from family and peers, hindering educational opportunities, and potentially causing unnecessary stress and anxiety from prolonged hospital stays, even if they are medically stable for discharge. The focus should be on timely transition to the least restrictive placement with appropriate support systems in place.

Hospitalization can be stressful for children, leading to anxiety, fear, and feelings of isolation, which can persist even after discharge if the stay is prolonged. Just think about a stay that you or a loved one had in the hospital. There are noises and interruptions that impair a good night's sleep.

Children may miss out on crucial therapy or support services available in the community if they remain hospitalized unnecessarily. Additionally, this is a drain on resources for acute patients that require hospitalization utilization.

Foster care is never an ideal situation for a child, but it may be the least detrimental alternative for children whose parents harm them. Maryland law appropriately requires that foster children are placed in the least restrictive setting that meets their needs and special circumstances. Remaining in a hospital after being medically discharged is antithetical to the least restrictive placement and not in the best interests of the child.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on House Bill 962 and urge its ultimate passage. If you have any questions, please contact: Erica I. LeMon, Advocacy Director for Children's Rights at elemon@mdlab.org (410) 951-7648 or (410) 935-0937.