



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 10, 2025

Dear Chair Peña-Melnyk, Vice Chair Cullison, and Members of the Committee,

Thank you for the opportunity to present House Bill 1409 today. This bill came to me the way all good bills do—through a constituent who saw a problem and wanted to fix it. BJ Carter is here today to share her own story, but I want to take a moment to recognize her and her late husband, Jack Carter, a Holocaust survivor who came to the United States to build a new life. In his later years, as dementia took hold, he became vulnerable in a different way—one that required trust in those caring for him. BJ did everything she could to protect him, and she was fortunate to have video monitoring to help ensure his safety. But even with that, she still didn't have the full picture. Like so many families, she was left with more questions than answers.

That is why I introduced HB1409—to give families the full picture.

Under this bill, residents of medical care facilities—or their legal representatives—would have the right to install electronic monitoring devices, including both video and audio, in their personal rooms. This bill was not a mandate, but a choice—a tool for families who wanted more oversight and accountability in their loved ones' care.

The bill included strong safeguards to ensure that monitoring was done fairly and with respect for privacy:

- Roommate consent would be required before any monitoring could occur in a shared room.
- Signage would be posted so that staff and visitors were aware of the monitoring.
- Facilities would be prohibited from retaliating against residents for choosing to monitor their care.
- Recordings could be used as evidence in legal proceedings, giving families the ability to advocate for their loved ones when something goes wrong.

I still believe in the original bill because families deserve answers. When a loved one experiences a fall, an injury, or any sudden decline in a care facility, families shouldn't be left wondering what happened. They should have the ability to see it for themselves. They should have clarity, not uncertainty.

But I also know how the legislative process works, and I'm a realist. Once a bill is introduced, we hear from a lot of different stakeholders—some in support, some with concerns, and some who want to change the bill entirely. Last week, we received a wave of feedback, including concerns from MDH that could

have been addressed with relatively simple fixes, but also broader opposition from others who wanted a different approach.

After discussing the situation with some of you and stakeholders, I made the decision to accept LifeSpan's amendments and narrow the bill to an expansion of Vera's Law, passed in Maryland in 2003. This law allowed nursing home residents—or their legal representatives—to install electronic monitoring devices in their rooms. Instead of the broader protections I originally introduced, HB1409 will now:

- Expand Vera's Law to include assisted living facilities, giving those residents the same right to install cameras that nursing home residents already have.
- Maintain the existing safeguards under Vera's Law, including roommate consent, required signage, and protections against retaliation.
- Allow the Office of Health Care Quality (OHCQ) to review advancements in monitoring technology to determine whether guidelines should be updated in the future.

That's it. No audio monitoring. No additional legal protections. No broader safeguards.

Additionally, I want to point out that the fiscal note for this bill was released on Sunday and is based on the original version of the bill. Given the significant changes made, the current fiscal note does not accurately reflect the new version. With the bill now being a simple expansion of Vera's Law rather than a full set of new requirements, the fiscal impact should be considerably lower than what is currently reflected. I hope that as the committee reviews the bill, that will be taken into consideration.

I won't pretend that I'm happy about narrowing this bill. The original bill did more—more protections, more options, and more transparency. But I also know that this is what it will take to pass a bill this year.

That being said, I want to be clear: this isn't the end of the conversation. I appreciate all the stakeholders who provided their input—especially those who came in late last week—and I look forward to working with you in the interim to bring back a stronger bill next year that does more.

I appreciate the committee's time and consideration, and I thank you for working with me through this process. I hope this is just the first step toward ensuring greater transparency and accountability in Maryland's long-term care facilities.

Thank you, and I am happy to take any questions.