



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: January 28, 2025

Bill Number: **HB246**

Bill Title: Human Services - Adult Protective Services

Committee: House Judiciary

**MDOA Position: FAVORABLE**

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The Department of Aging (MDOA) thanks the Chair and Committee members for the opportunity to testify on House Bill (HB) 346 - Human Services - Adult Protective Services.

The Maryland Department of Aging (MDOA) serves as Maryland's State Unit on Aging, administering federal funding for core programs, overseeing the Area Agency on Aging (AAA) network at the local level that provides services, and planning for Maryland's older adult population. Most of Maryland's AAAs cover a single county and are housed within county government human service agencies. Three AAAs are non-profits, two of these span multiple counties on the Upper and Lower Eastern Shore. AAAs are the longtime leaders on the ground in terms of providing and coordinating most state and federally-funded services for older adults in Maryland. Services range from meals and other nutrition related and health promotion services, to in-home personal care services, adult day care, caregiver support, transportation, to information and referral.

For individuals who are most at risk for exploitation, abuse, and neglect, AAAs and local Adult Protective Services staff regularly are both coordinating care, providing services and advocacy on the behalf of the individual and/or a caregiver. AAA staff as mandated reporters under Maryland state law are required to make reports of suspected abuse, neglect to APS. But APS investigators are generally prohibited from following up with those AAA staff members or other service providers due to confidentiality rules. This lack of communication increases strain between AAAs and APS and in some cases, increases the potential harm to the older adult involved. MDOA applauds DHS for bringing forward this narrowly tailored,



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communication-enhancing bill that will improve important coordination and relationships at the local level for the benefit of older adults at risk of harm.

Further, MDOA notes that the first-ever federal rule governing the provision of Adult Protective Services<sup>1</sup> took effect in July, 2024, with full compliance required by 2028. This new final rule clearly confirms that greater coordination among government agencies, law enforcement bodies, and advocacy organizations, among others, is required.<sup>2</sup> Coordination between APS and other partners is embraced on the basis that it “maximizes resources, improves investigation capacity, and ensures APS is effective.”<sup>3</sup> MDOA stands in support of DHS’ continued work to come into compliance with this significant federal regulatory update for APS in Maryland.

This bill is a significant step toward improving relevant communication between investigators from Adult Protective Services and AAA staff, law enforcement and other key stakeholders in connection with an official investigation by APS concerning an older adult at risk of harm. It will wisely remove burdensome communication barriers for the benefit of older adults at risk of harm.

For these reasons, the Department of Aging respectfully urges a **favorable** report for HB246. If you have any questions, please contact Andrea Nunez, Legislative Director, at [andrea.nunez@maryland.gov](mailto:andrea.nunez@maryland.gov) or (443) 414-8183.

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<sup>1</sup> See Administration for Community Living, Final Rule: Federal Regulations for Adult Protective Services Programs, *available at*: <https://acl.gov/APSrule>

<sup>2</sup> See ACL Final Rule; Federal Regulations for APS Programs: § 1324.406 (Clarifies that while state privacy laws may prevent sharing certain client information, at a minimum, APS systems should work with other entities to coordinate their work around prevention and the sharing of promising practices to address adult maltreatment and self-neglect), *available at*: <https://www.federalregister.gov/documents/2024/05/08/2024-07654/adult-protective-services-functions-and-grants-programs>

<sup>3</sup> See Final Rule: Federal Regulations for APS Fact Sheet, April, 2024, *available at*: <https://acl.gov/sites/default/files/2024-05/APS%20Regs%20-%20Long%20Fact%20sheet.pdf>