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SPEAKER OF THE HOUSE



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## *The Maryland House of Delegates*

ANNAPOLIS, MARYLAND 21401

### **House Bill 1559 – Children in Unlicensed Settings and Pediatric Hospital Overstay Patients – Placement**

Good afternoon Chair Barnes, Vice Chair Kaiser and members of the Appropriations and Health Committees. Thank you for the opportunity to present House Bill 1559.

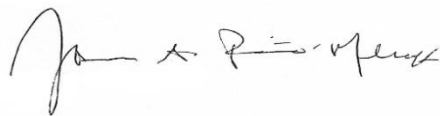
The situations that have prompted the need for this bill are heartbreaking and simply unacceptable. It is our responsibility to end the practice of allowing Maryland's most vulnerable youth to remain in emergency rooms while their needs are not addressed and their trauma is furthered. This issue is personal. In 2018, I received a call from a school teacher who had a 14-year-old student who wanted to die by suicide. I met the student and his mother at a Panera Bread and we drove to an emergency room. I waited with this mother and son for 15 hours while they attempted to find an appropriate placement. Even after I left, finding a placement took days. I left the situation understanding the frustration of a family whose young child in a behavioral health crisis had to spend days in an emergency room instead of a setting that could appropriately address his needs. Each year since, the stories about pediatric overstay have become worse. I have been approached on several occasions by hospital staff who feel like they are the only advocates for these children. Just this session, two nurses came to my office to share with me their deep concern about these youth who are spending their days in noisy, unsettling emergency rooms without education, friends, or fresh air. The nurses took it upon themselves to advocate for these children, urging us as lawmakers to step up for them and we must continue to do so.

For years, this State has been aware of the inappropriateness of placing youth in unlicensed settings and allowing youth to remain in hospitals after being medically cleared for discharge. In September 2025, the ultimate failure in the system occurred when 16-year-old Kanaiyah Ward died by suicide while unattended after being placed in a hotel by our State. House bill 1559 will end the State's practice of placing youth in unlicensed settings such as hotels, homeless shelters, and office buildings. But simply ending this practice is not enough. We must take steps to reform this system and be accountable to our most vulnerable youth.

Last year, the legislature passed House Bill 962 which required MDH and DHS to hire a pediatric overstay coordinator in each department to coordinate between hospitals, relevant State agencies and program, and providers of behavioral health services. The coordinators are required to ensure that pediatric overstay patients are transferred to and treated in the least restrictive appropriate setting. House bill 962 also established the Workgroup on Children in Unlicensed Settings and Pediatric Overstays to provide recommendations on how to cease these placements. The bill before you today reflects some of the legislative recommendations provided by the workgroup to ensure State agency accountability and collaboration. House Bill 1559 will: establish a State Placement Manager, who will oversee the MDH and DHS coordinators; establish a Placement Review Panel and a Rapid Response Team to take immediate action when a pediatric overstay patient is in a hospital for more than 72 hours. The bill further establishes an Advisory Council on Maryland's System of Care for Children, Youth, and Families and an Interagency Council on Children, Youth, and Families that will require the various State agencies involved in with the youth touched by this bill to communicate, examine available resources, and develop standardized data collection and metrics across agencies.

I know that the Department of Human Services and the Maryland Hospital Association will be offering amendments and I look forward to working with them to reach consensus. I realize that reform of the foster care system is complicated but it is necessary that we act now for the sake of our State's most vulnerable youth . As such, I would like to request the formation of an informal workgroup comprised of 3 members from the Appropriations and Health committee to work through this bill and develop a comprehensive product. Thank you and I urge a favorable report on this legislation that is of utmost importance to the children in our State who need us the most.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseline A. Peña-Melnyk". The signature is fluid and cursive, with a large initial "J" and "M".

Delegate Joseline A. Peña-Melnyk