

SB 340

**Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term
Care Ombudsman
Hearing on February 10, 2026, 1:00, Senate Finance Committee
Position: Favorable**

Maryland Legal Aid submits written testimony in support of SB 340.

Thank you Chair Beidle and Vice Chair Hayes, for the opportunity to submit testimony in support of SB 340, which provides funding for the Office of the Maryland Long-Term Care Ombudsman.

Maryland Legal Aid is a non-profit law firm that provides free legal services to low-income and vulnerable Maryland residents. Each year, we assist thousands of individuals in health, housing, family and consumer law. Many of our clients are living with disabilities, and most also depend on Medicare, Medicaid, Veterans benefits, and other essential supports. These programs form the “safety net” that provides life-sustaining assistance to people living below the poverty line.

Maryland Legal Aid has maintained a dedicated practice representing Nursing Home and Assisted Living residents for more than 45 years. This testimony is offered at the request of the Maryland State Long-Term Ombudsman Karrie Craig.

Longer lives and declining birth rates have introduced a significant shift in how our current systems need to function as the growing number of older adults continues to expand.¹ The Governor’s Task Force on Preventing and Countering Elder Abuse (2023 HB 1191/SB 997) was a 2-year, multisector initiative focused on identifying, preventing and prosecuting abuse, neglect and exploitation of older adults aged 60+. It issued a 168 page report on December 31, 2024 that recognized that abuse to the older adult population is increasing.²

The Office of the State Long-Term Care Ombudsman is mandated by the federal Older Americans Act.³ The program is designed to prevent and investigate abuse and neglect of vulnerable disabled Assisted Living and Nursing Home residents. The Maryland State Ombudsman is charged with providing confidential advocacy services for residents in Assisted Living Facilities and Nursing Homes. It lacks sufficient staff to provide this service and an adequate, dedicated funding stream to stabilize coverage in all Maryland counties.

¹ <https://lrm.maryland.gov/>.

² <https://aging.maryland.gov/SiteAssets/Pages/ElderAbusePrevent/EATF%20final%20report.pdf>.

³ <https://acl.gov/programs/Protecting-Rights-and-Preventing-Abuse/Long-term-Care-Ombudsman-Program>.

1 in 10 older adults report abuse. As the percentage of older adults increase, so does the likelihood of abuse or neglect.⁴ Senior abuse and trafficking is regularly reported in the Maryland media.⁵

Maryland Legal Aid routinely works with the State Ombudsman, and receives referrals for legal representation. We reach out to the Office of the State Ombudsman regularly, to help our clients remain safe. Examples of assistance include a resident with a double leg amputation who was being involuntarily discharged from a Montgomery County Nursing Home without due process of law and with improper treatment. In two other cases, Maryland Legal Aid worked with the State Ombudsman and assisted two residents on the Eastern Shore where a Nursing Home wanted to unlawfully transfer them from the safety of the Nursing Facility to a hotel room – leaving them completely without nursing or other services needed to maintain their safety. This practice is called “patient dumping.”

SB 340 would not take funds away from residents of facilities. Maryland Nursing Facilities are currently required to pay a Medicaid Quality Assessment.⁶ These funds are collected by the State Comptroller under a special fund, and by law are used exclusively to fund reimbursements to Nursing Facilities. Nursing Facility residents cannot use Community Medicaid while residing in a Nursing Facility. They would need to apply for Long-Term Care Medicaid.⁷ Community Medicaid is a health insurance program for low-income persons and families while living in the community. Long-Term Care Medicaid is a different program for persons living in Nursing Facilities who are eligible for nursing home level of care.⁸

SB 340 would rightfully be used to ensure a small funding stream devoted to the protection of Assisted Living and Nursing Home residents by the Maryland State Ombudsman Program. One only has to watch the news or read a newspaper to know that vulnerable, disabled adults are at risk in Maryland.⁹

⁴ <https://aging.maryland.gov/SiteAssets/Pages/ElderAbusePrevent/EATF%20final%20report.pdf>.

⁵ <https://foxbaltimore.com/spotlight-on-maryland/state-records-show-maryland-officials-knew-about-senior-trafficking-then-stopped-acting>; <https://www.youtube.com/watch?v=jBU904TmKO4>;
<https://foxbaltimore.com/spotlight-on-maryland/secret-trafficking-playbook-for-exploiting-maryland-seniors>.

⁶ Maryland Code Ann., Health-Gen §19-314.1(b).

⁷ Id.

⁸ <https://health.maryland.gov/mmcp/longtermcare/pages/nursing-facility-residents,-recipients-and-family-members.aspx>

⁹ The statute provides: On or before the 60th day after each quarter of the State fiscal year, 14 each nursing facility subject to this section shall pay to the Comptroller an amount 15 determined by the Department based on an amount per non–Medicare day of service for 16 the previous fiscal quarter. Non-Medicare day of service refers to payment provided by the Maryland Long-Term Care Medicaid program.

Maryland Legal Aid strongly recommends that this bill be authorized by the Finance Committee and we urge passage of SB 340. If you have questions please contact Cornelia Bright Gordon, Director of Advocacy for Administrative Law, Maryland Legal Aid, at cbgordon@mdlal.org.