



JOINT TESTIMONY

People on the Go Maryland and The Arc Maryland

Bill:	SB 753 – Vulnerable Adult Banking Protection Act
Sponsor:	Senator Kramer
Committee:	Finance
Hearing Date:	March 12, 2026
Position:	SUPPORT WITH AMENDMENT

About Our Organizations

People on the Go Maryland is Maryland's statewide self-advocacy and systems advocacy organization run for and by individuals with intellectual and/or developmental disabilities. We promote advocacy and civil rights throughout the state.

The Arc Maryland mission is to create a world where children and adults with intellectual and developmental disabilities have and enjoy equal rights and opportunities.

Introduction

We support SB 753's intent to protect vulnerable adults from financial exploitation but have concerns that without amendments, this bill could enable discrimination against people with disabilities.

Evidence of Banking Discrimination

Banking discrimination against people with disabilities is well-documented:

- Bank of America (2013) DOJ settlement of \$300,000 for denying loans to adults under guardianship
- Danske Bank (2019) Refused service to deaf woman reporting fraud because she used her brother to relay information
- Royal Bank of Scotland £4.67 million awarded for discrimination against employee with disability

Without safeguards, SB 753 could enable similar discrimination based on presumptions rather than evidence.

Personal Stories of Discrimination

Mat Rice and Tracy Wright, both directors of POG, had to go to two different banks before being allowed by Bank of America to open a bank account. Both people present as people with physical disabilities and had support staff with them.

Yesterday, the brother of Matt Rice, Mr. James Dean Wolf, who identifies as a person with autism but no physical disability, had a friend of the family take him to his bank to withdraw

money so he was not over the established asset limits because he receives both Social Security and Medicaid. Mr. Wolf was kept at the bank for over an hour. The person who brought him was questioned about their relationship. Mr. Wolf was asked what he intended to spend the money for. This frankly does not happen to people without disabilities unless they identify as people of color. To be absolutely clear, this kind of discrimination is wrong no matter whomever it is, but is extremely difficult to prove. We feel that these amendments are necessary while they may not totally prevent discrimination from happening, it is a positive step.

Required Amendments to Section 1-307

We strongly recommend the following amendments to ensure SB 753 protects vulnerable adults without enabling discrimination:

Amendment 1: No Discrimination Based Solely on Disability

Plain Language: Banks cannot deny access to funds just because someone has a physical disability or uses mobility aids.

Statutory Language: A FIDUCIARY INSTITUTION MAY NOT DELAY OR DENY A DISBURSEMENT UNDER SUBSECTION (B) SOLELY BECAUSE THE ELIGIBLE ADULT: (I) PRESENTS WITH A PHYSICAL DISABILITY; (II) HAS A SPEECH IMPAIRMENT; (III) IS ACCOMPANIED BY A SUPPORT PERSON; OR (IV) OTHERWISE EXHIBITS CHARACTERISTICS ASSOCIATED WITH VULNERABILITY ABSENT OTHER EVIDENCE OF EXPLOITATION.

Amendment 2: Protection for Eric's ID Butterfly Designation

Plain Language: Banks cannot deny transactions because someone has a butterfly symbol on their MD driver's license (indicating hidden disability under Eric's ID Law).

Statutory Language: A FIDUCIARY INSTITUTION MAY NOT DELAY OR DENY A DISBURSEMENT SOLELY BECAUSE THE ELIGIBLE ADULT PRESENTS A MARYLAND ID DISPLAYING THE BUTTERFLY SYMBOL UNDER TRANSPORTATION ARTICLE § 16-115. THE BUTTERFLY DESIGNATION SHALL NOT BE CONSTRUED AS EVIDENCE OF INCAPACITY OR VULNERABILITY TO EXPLOITATION.

Amendment 3: Recognition of Supported Decision-Making Agreements

Plain Language: Banks must honor supported decision-making agreements (legal under MD law since 2022) where a person chooses someone to help them understand information while retaining decision-making authority.

Statutory Language: (I) A FIDUCIARY INSTITUTION SHALL RECOGNIZE SUPPORTED DECISION-MAKING AGREEMENTS UNDER ESTATES AND TRUSTS ARTICLE § 13.5-801 ET SEQ. (II) A FIDUCIARY INSTITUTION MAY NOT: 1. DELAY OR DENY DISBURSEMENT SOLELY BECAUSE AN ELIGIBLE ADULT IS ASSISTED BY A SUPPORTER; 2. REQUIRE PRODUCTION OF THE AGREEMENT; 3. REQUIRE PROOF A PERSON IS ACTING AS SUPPORTER; OR 4. TREAT SUPPORTER PRESENCE AS EVIDENCE OF EXPLOITATION ABSENT OTHER CREDIBLE EVIDENCE.

Amendment 4: Probable Cause Requirement Beyond Disability

Plain Language: Banks must have reasonable suspicion, beyond age or disability—such as unusual transaction patterns, evidence of coercion, or recent unauthorized account changes.

Statutory Language: REASONABLE BELIEF UNDER SUBSECTION (B)(1)(I) MUST BE BASED ON SPECIFIC, ARTICULABLE FACTS BEYOND THE ELIGIBLE ADULT'S AGE, DISABILITY STATUS, OR PHYSICAL PRESENTATION, INCLUDING: (I) UNUSUAL TRANSACTION PATTERNS; (II) EVIDENCE OF COERCION OR UNDUE INFLUENCE; (III) DOCUMENTED CONCERNS FROM KNOWN FAMILY; (IV) RECENT UNAUTHORIZED CHANGES THE ADULT CANNOT EXPLAIN; OR (V) OTHER OBJECTIVE EVIDENCE OF EXPLOITATION AS DEFINED IN § 1-307(A)(3).

Amendment 5: Protections for SSI Recipients' Spend-Down

Plain Language: SSI recipients often must quickly spend funds to stay under resource limits ('spend-down'). Banks cannot delay these time-sensitive transactions based on disability alone, as delays could cause benefit loss.

Statutory Language: (I) 'MEANS-TESTED BENEFIT PROGRAM' MEANS A PROGRAM WITH ASSET LIMITATIONS, INCLUDING SSI, MEDICAID, OR FOOD ASSISTANCE. (II) A FIDUCIARY INSTITUTION SHALL EXERCISE PARTICULAR CAUTION BEFORE DELAYING DISBURSEMENT WHEN THE ADULT PROVIDES NOTICE THE TRANSACTION IS NECESSARY FOR BENEFIT ELIGIBILITY VIA RESOURCE SPEND-DOWN. (III) IF DELAYED, THE INSTITUTION SHALL DOCUMENT SPECIFIC

EXPLOITATION EVIDENCE BEYOND DISABILITY OR PROGRAM PARTICIPATION.

(IV) THE INSTITUTION SHALL EXPEDITE REVIEW TO MINIMIZE BENEFIT IMPACT.

Conclusion

These amendments ensure SB 753 protects vulnerable adults from exploitation without enabling discrimination against people with disabilities. We strongly recommend the committee adopt these amendments and issue a FAVORABLE report on SB 753 WITH AMENDMENTS.

Contact Information

Mat Rice

Executive Director, People on the Go Maryland

Phone: 4109255706

Email: mat@pogmd.org

Ande Kolp

Executive Director, The Arc Maryland

Phone: 410-571-9320

Email: akolp@thearcmd.org