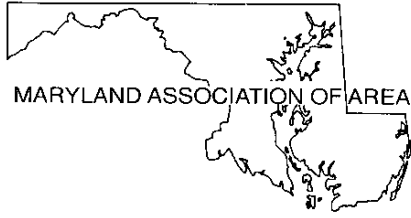


M4A - 2026 SB 340 FAV - Funding of Office of the L

Uploaded by: Ann Ciekot

Position: FAV

M 4 A



MARYLAND ASSOCIATION OF AREA AGENCIES ON AGING

*Karen Winkowski
President
Representing Harford County
Office on Aging*

*Erin Bird, Vice President
Representing Cecil County
Department of Community Services*

*Ofelia Ross Ott, Treasurer
Representing Howard County
Office on Aging and Independence*

*Heang Tan, Secretary
Representing Baltimore County
Department of Aging*

Senate Finance Committee

February 10, 2026

Senate Bill 340 - Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman

Support

On behalf of the Maryland Association of Area Agencies on Aging (M4A), we respectfully submit this testimony in support of Senate Bill 340, which establishes a dedicated funding mechanism for the Maryland Office of the Long-Term Care Ombudsman Program.

Maryland's long-term care system serves a growing and increasingly vulnerable population. Across the State, there are 220 nursing homes and 1,622 licensed assisted living facilities, representing 54,287 beds. Residents in these settings rely on the Long-Term Care Ombudsman Program to protect their health, safety, welfare, and rights.

M4A represents the State's 19 Area Agencies on Aging, each of which houses a local Long-Term Care Ombudsman Program. Ombudsmen serve as independent, resident-directed advocates who investigate complaints, provide information and assistance, and play a critical preventive role by educating residents, families, and providers about residents' rights.

In Federal Fiscal Year 2025, Maryland's Long-Term Care Ombudsmen investigated and resolved 3,978 complaints, with 86 percent resolved to the satisfaction of the resident. Ombudsmen made more than 7,200 visits to nursing homes and assisted living facilities and provided over 7,000 instances of information and assistance to residents and families. They also supported resident and family councils and conducted community education across the State.

Despite the essential nature of this work, funding for the Ombudsman Program—and for the Area Agencies on Aging that administer it locally—has remained flat for more than a decade and far below

(over)

what is needed to meet current demand. This chronic underfunding has constrained local capacity, limiting the frequency of facility visits, slowing response times, and reducing outreach, even as facilities, complaints, and resident needs have continued to grow.

The most frequent complaints raised by residents involve discharge or eviction, medications, personal care, residents' rights, and abuse or neglect—issues that directly affect safety and dignity. Ombudsmen often resolve these concerns before they escalate, benefiting residents, families, facilities, and the State as a whole.

For these reasons, M4A strongly supports Senate Bill 340 and respectfully urges the Committee to issue a favorable report.

Who is M4A?

The nineteen member organizations of Maryland's Association of Area Agencies on Aging (M4A) serve Maryland's older and disabled citizens, providing a range of cost-effective state, federal and locally funded programs that help individuals remain secure in the community with dignity, independence, and choice as they age. M4A and its associated Area Agencies on Aging (AAAs) represent the "front line" in Maryland's challenge to meet the complex and varied needs of well over one million older adults statewide. M4A's goal is to ensure coordination and communication with all partners on all aspects of senior service planning to enhance opportunity and availability to all eligible citizens.

SB0340_MHAMD_FAV.pdf

Uploaded by: Ann Geddes

Position: FAV

**SB 340 – Nursing Facilities – Medicaid Quality Assessment – Funding of
Office of the Long-Term Care Ombudsman
Senate Finance Committee
February 10, 2026
Position: FAVORABLE**

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of SB 340.

SB 340 would increase funding to Maryland’s Office of the Long-Term Care Ombudsman by directing to the Office 3% of the special funds from the Maryland quality assessment.

Long-Term Care (LTC) Ombudsman Programs exist in every state. They play a critical role in serving as advocates for older adults in nursing facilities and assisted living facilities. The LTC Ombudsman Programs are responsible for ensuring regular and timely access to their services by making routine visits to facilities and meeting with residents. In addition, they respond to complaints and advocate for residents. In FY25, Maryland’s Ombudsmen made 7,250 visits to assisted living facilities and nursing homes and investigated 4,000 resident complaints, with 86% of those complaints being resolved to the satisfaction of the resident.

The LTC Ombudsman Programs are partially funded by the Older Americans Act. In addition, they receive state funding that varies significantly from state to state. The share of federal contributions to the LTC Ombudsman Programs across the country has decreased from 58.8% in 2000 to 46.9% in 2019. **Studies have found that states that have increased funding for their LTC Ombudsman Programs see better nursing home resident care, including fewer residents who are prescribed antipsychotic medications and fewer incidents of restraint and seclusion.**¹

It is difficult to determine precisely how much each state is spending on their LTC Ombudsman Programs, but data from the Government Accountability Office (GOA) permits some general estimates.

In FY22, the GOA reported that across the country, LTC Ombudsman Programs served more than 3 million residents, at a total funding level of \$140 million. That equates to a cost of

¹ Katherine A. Kennedy. Trends in Long-Term Care Ombudsman Program Funding and Its Relationship to Nursing Home Resident Care. The Millbank Quarterly (2025). <https://pubmed.ncbi.nlm.nih.gov/41132113/>

roughly \$46/resident.² In Maryland, it is estimated that about 54,000 people reside in long-term care facilities.³ To fund Maryland's Long-Term Ombudsman Program at a level that would simply align with the average across the country, the Office would need about \$2.5 million. Currently Maryland's LTC Ombudsman has a budget of \$1.5 million.

There are additional challenges for the Maryland LTC Ombudsman Program. Seventy-seven percent of Maryland assisted living facilities have nine or fewer beds.⁴ It is much more difficult to go into many small facilities than a few large ones. In addition, Maryland has a significant problem with small unlicensed assisted living facilities, which are not included in the official bed count. Unlicensed facilities frequently provide poor accommodations and care and financially exploit their residents.⁵ Even though these facilities are unlicensed, the Maryland Ombudsmen make efforts to assist those residents and resolve problems.

Since the Maryland LTC Ombudsman Program is already underfunded when compared to the national average, since better-than-average funded LTC Ombudsman Programs have been shown to result in better nursing home care, and since Maryland LTC Ombudsmen have an especially difficult job addressing the needs of the many residents living in numerous small assisted living facilities and in unlicensed facilities, it is imperative that the state increase funding for the program.

For these reasons, MHAMD supports SB 340 and urges a favorable report.

² Government Accountability Office. Long-Term Care: Information on the Ombudsman Program (2024). <https://www.gao.gov/assets/gao-24-107209.pdf>

³ Maryland Department of Aging. <https://aging.maryland.gov/Pages/state-long-term-care-ombudsman.aspx>

⁴ Maryland Health Care Commission. Small Assisted Living Programs Study Recommendations Report January 2024. https://mhcc.maryland.gov/mhcc/pages/home/workgroups/documents/assisted_living/wkgrp_al_rpt.pdf

⁵ The Baltimore Sun. November 21, 24, 26; December 3,9,10,11, 12, and 31, 2025.

MaCCRA 2026 Testimony - Support -SB340.pdf

Uploaded by: Bruce Hartung

Position: FAV



Maryland Continuing Care Residents Association
Protecting the Future of Continuing Care Residents
The Voice of Continuing Care Residents at Annapolis

SUBJECT: **Senate Bill 340** – Nursing Facilities – Medicaid Quality Assessment – Funding of the Office of the Long-Term Care Ombudsman

COMMITTEE: Senate Finance
Pamela P. Beidle, Chair

DATE: February 6, 2026

POSITION: **Favorable**

The Maryland Continuing Care Residents Association (MaCCRA) is a not-for-profit organization representing the residents in continuing care retirement communities (CCRCs). Maryland has over 20,000 older adults living in 38 licensed CCRCs. The principal purpose of MaCCRA is to protect and enhance the rights, well-being, and financial security of current and future residents while maintaining the viability of the providers whose interests are frequently the same as their residents. MaCCRA supports efforts to enhance transparency, accountability, financial security, and preserve existing protections in law and regulation for current and future CCRC residents statewide.

MaCCRA supports Senate Bill 340. The Maryland Department of Aging places the following on its website: “The Maryland Long-Term Care Ombudsman Program advocates for the health, safety, well-being, and rights of residents in assisted living and nursing homes. Ombudsmen work at the direction of the resident and only take action with the resident's consent. Ombudsman services are resident-directed, confidential and provided free of charge.

The Maryland Long-Term Care Ombudsman Program also improves the quality of care and increases the quality of life for over 54,000 Maryland residents living in long-term care by advocating for laws, regulations and policies that benefit residents. Ombudsmen visit Maryland’s 1,850 assisted living and nursing homes nearly 7,000 times each year, resolving approximately 3,300 complaints from residents.”

Clearly, this Ombudsman position directly benefits all residents living in long-term care communities by giving them a strong voice to articulate concerns related to their health, well-being, and care. To make sure that funding is provided, utilizing a percentage of Medicaid benefits is a creative way to strengthen and expand a program that has already proven itself to be of significant service to the most vulnerable of our elderly population.

We ask for a favorable report on Senate Bill 340.

For further information please contact: Bruce Hartung, President
Maryland Continuing Care Residents Association c/o brucehartung@sbcglobal.net

SB0340 Nursing Facilities - Medicaid Quality Asses

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0340 – Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman – FAVORABLE

Bill Sponsor: Senator Hettleman

Committee: Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Jessica Gorski, Executive Committee

Position: FAVORABLE

Chair, Vice Chair, and Members of the Committee,

My name is Jessica Gorski, and I am submitting this testimony in strong support of SB0340 on behalf of the Maryland Legislative Coalition. We are a statewide coalition of grassroots organizations representing more than 30,000 Marylanders across every legislative district. Our mission is to promote legislation that strengthens education, healthcare, public safety, environmental protection, and social justice—ensuring that every Marylander has access to the resources and opportunities needed to thrive.

SB0340 advances that mission by strengthening oversight, accountability, and protections for older Marylanders living in nursing facilities.

This bill requires the Governor to include in the annual budget bill at least 3% of the special funds collected from the Medicaid quality assessment imposed on certain nursing facilities to support the operations of the Office of the Long-Term Care Ombudsman. This dedicated funding stream ensures that the Ombudsman’s Office—charged with advocating for residents, investigating complaints, and safeguarding the rights and well-being of individuals in long-term care—has the resources necessary to fulfill its critical responsibilities.

These provisions are both timely and essential.

The Ombudsman process is one of the most important safeguards Maryland has for protecting older adults in nursing facilities. Ombudspersons serve as independent advocates who listen to residents, investigate concerns, and intervene when care, safety, or dignity is at risk. They provide a trusted, accessible avenue for residents and families who may feel powerless navigating complex systems or raising concerns within

a facility. Their work not only resolves individual issues but also identifies systemic problems, elevates resident voices, and drives improvements across the long-term care sector.

Ensuring the Ombudsman's Office is adequately funded is a direct investment in the health, safety, and dignity of Maryland's older adults. As our state's aging population grows and nursing facilities continue to face staffing and operational challenges, the need for strong, well-resourced oversight has never been greater.

By guaranteeing a stable, predictable source of funding, SB0340 strengthens the state's ability to:

- Conduct timely investigations of complaints,
- Monitor facility conditions and resident safety,
- Support families navigating complex care systems, and
- Ensure that nursing facilities meet their obligations to provide safe, dignified, and high-quality care.

This bill also reflects responsible fiscal policy. The Medicaid quality assessment is already collected from nursing facilities; directing a small portion of these funds to the Ombudsman's Office ensures that the revenue generated within the long-term care system is reinvested to protect the very residents it is meant to serve.

SB0340 aligns squarely with the mission of the Maryland Legislative Coalition. It strengthens healthcare oversight, protects vulnerable residents, and promotes fairness, accountability, and community well-being. Ensuring that the Ombudsman's Office is adequately funded is not only a matter of good governance—it is a matter of dignity and justice for Maryland's older adults.

We urge the Committee to support this thoughtful, necessary, and community-centered legislation.

Thank you for your time and consideration. **We respectfully urge a FAVORABLE report on SB0340.**

Maryland Legal Aid Testimony SB 340.pdf

Uploaded by: Cornelia Bright Gordon

Position: FAV

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@mdlab.org.

Maryland Catholic Conference_FAV_SB340.pdf

Uploaded by: Diane Arias

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 10, 2026

Senate Bill 340
Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman
Senate Finance Committee

Position: Favorable

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 340 requires the Governor to include in the annual budget bill at least 3% of the special funds collected from the Medicaid quality assessment imposed on certain nursing facilities to fund the operations of the Office of the Long-Term Care Ombudsman.

The Office of the Long-Term Care Ombudsman plays an essential role in protecting the rights, health, and safety of more than 54,000 residents living in nursing homes and assisted living facilities across Maryland.¹ Through 19 local programs, the office investigates complaints, educates residents and families about their rights, advocates on behalf of residents, supports resident and family councils, and works collaboratively with facilities to resolve concerns related to quality of care.² These services depend on consistent and predictable funding to remain accessible, responsive, and effective.

This legislation appropriately directs at least 3% of the funds collected under this section to support the ongoing operations of the Maryland Office of the Long-Term Care Ombudsman. This dedicated funding is critical to ensuring the stability, independence, and effectiveness of an

¹ <https://aging.maryland.gov/pages/state-long-term-care-ombudsman.aspx#:~:text=Resident%20Advocate,approximately%203%2C300%20complaints%20from%20resident>

² <https://aging.maryland.gov/pages/state-long-term-care-ombudsman.aspx#:~:text=Resident%20Advocate,approximately%203%2C300%20complaints%20from%20resident>

office that serves as a primary safeguard for some of the most vulnerable members of our communities.

From the perspective of Catholic social teaching, persons of all ages possess inherent dignity and deserve respect, protection, and the ability to participate meaningfully in community life. Older adults are not burdens to be managed but vital members of our communities whose lives, experiences, and voices matter. Ensuring strong advocacy and oversight in long-term care settings affirms this dignity by empowering residents to direct their own lives, understand their rights, and receive care that respects their humanity.

Continued funding for the Office of the Long-Term Care Ombudsman helps ensure that Maryland's aging population can enter later life with dignity, safety, and community engagement. By sustaining this critical program, the State affirms its commitment to honoring older adults as valued members of society and to protecting the dignity and well-being of those who rely on long-term care services.

For these reasons, the Maryland Catholic Conference asks for a favorable report on **SB 340**.

Thank you for your consideration.

NASW Maryland - 2026 SB 340 FAV - Funding of Offic

Uploaded by: Karessa Proctor

Position: FAV



**Testimony before the Senate Finance Committee
February 10, 2026**

**Senate Bill 340 - Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the
Long-Term Care Ombudsman**

SUPPORT

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD), we wish to express our support for Senate Bill 340 - Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman.

As social workers serving older adults, we are in favor of this bill because we understand the value a Long Term Care Ombudsman brings to residents in nursing homes and assisted living facilities. This bill would provide much-needed additional funding that would strengthen the program.

The Long-Term Care Ombudsman Program was mandated by the Federal Older Americans Act in 1978 to investigate complaints, protect the rights, and improve the quality of life for residents in nursing homes and assisted living facilities. Ombudsmen encourage self-advocacy by providing information, assistance, and support to residents. They also provide information and education to staff on issues that pertain to resident rights. They often work closely with the facility social workers. In fact, it is often the social worker who enlists the support of the Ombudsman for the residents or make sure the residents are aware of their services.

A Long-Term Care Ombudsman role is complex. The Ombudsman listens to a resident's' concerns and develops a resolution plan that is workable for the resident and staff. Ombudsmen support residents' families, who value their impartiality. Ombudsmen also conduct drop-in visits to ensure that residents are aware of their services, and they attend resident council meetings to educate about resident rights often in creative ways like Resident Rights Bingo.

Ombudsmen are invaluable in safeguarding resident rights. Unfortunately, there are not enough of them to provide coverage for the over 54,000 residents across 1,850 facilities in our state. Today the Maryland Department of Aging heavily utilizes volunteer Ombudsmen to advocate for residents, but more funding is needed to hire additional professional staff.

Senate Bill 340 would require the Governor to include in the annual budget bill a minimum percentage of the special funds collected from the Medicaid Quality Assessment that is imposed on certain nursing facilities to fund the operation of the Office of the Long Term Care Ombudsman. With additional funds it would be possible to hire additional Long Term Care Ombudsmen so more of our vulnerable long-term care residents can receive the valuable support the Ombudsman provides. For all these reasons, we ask for your favorable report on Senate Bill 340.

Respectfully,

Karessa Proctor, BSW, MSW
Executive Director, NASW-MD

FFY25 Annual Report.pdf

Uploaded by: Karrie Craig

Position: FAV



Maryland Long-Term Care Ombudsman Program

FFY25 Annual Report

Authorized under the Older Americans Act, the Maryland Long-Term Care Ombudsman Program advocates for the health, safety, well-being, and rights of residents living in assisted living and nursing homes. Ombudsmen work at the direction of the resident and only take action with the resident’s consent.

Case Investigation



3,978 Complaints were investigated, verified and resolved by Long-Term Care Ombudsmen.



86% of investigated complaints were resolved to the **satisfaction of the resident.**

“I Have known the ombudsman for about 5 ½ years. Whenever I’ve had an issue that could not be resolved in-house, I’ve called my ombudsman for help. It has been taken care of in a timely manner. He comes to talk to me personally. He asks questions and listens to what you have to say. If not for the ombudsman and people like him, we would not have a voice to be heard, because the administration and owners don’t listen to us.”

-Catherine (Nursing Home Resident)

Ombudsmen In Action



7,252 Visits to Nursing Homes and Assisted Living Homes



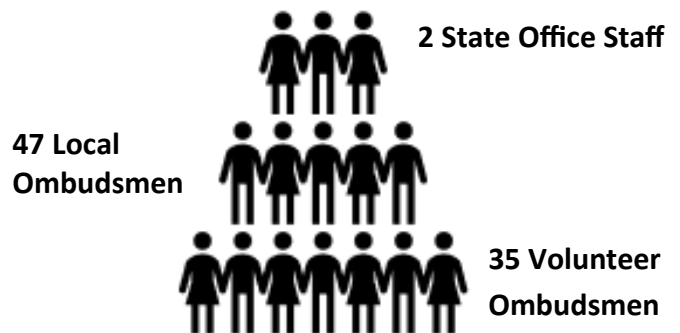
7,013 Instances of Information and Assistance provided



505 Resident/Family Councils attended



173 Community Education events provided



Licensed Long-Term Care Homes in Maryland

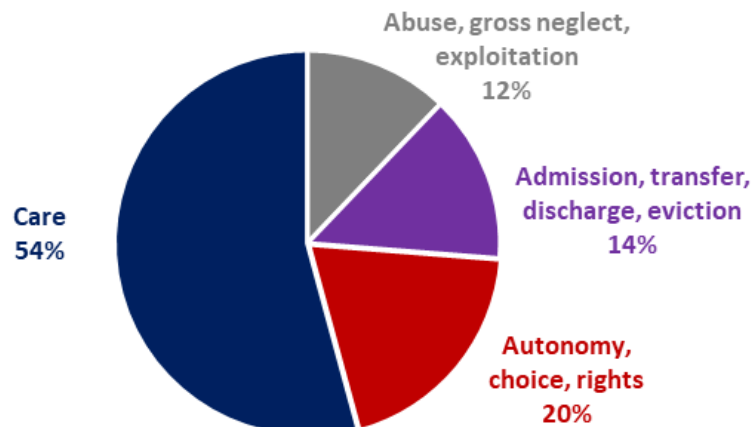
220 Nursing Homes

1,622 Assisted Living Homes

54,287 Total Beds

Complaints

Top Complaint Categories



“When I came to the nursing home I felt out of place. Then I met my ombudsman, who was someone I could talk to. They told me about the resident council, which changed how I felt about being in the nursing home because participating gives me purpose and makes me feel like I make a difference for other people.”

-Brian (Nursing Home Resident)

Top Individual Complaints

Nursing Homes

1. Discharge or Eviction
2. Response to requests for assistance
3. Medications
4. Other rights and preferences
5. Personal hygiene

Assisted Living Homes

1. Discharge or Eviction
2. Other Rights and Preferences
3. Medications
4. Abuse: Physical
5. Gross Neglect

Systemic Advocacy

- Revised and updated the Maryland Long-Term Care Ombudsman Policy and Procedures Manual
- Created a four part Culture Change Symposium with was attended by over 200 providers
- Commented on the new Assisted Living Regulations
- Created a presentation to educate hospitals on the Long-Term Care Ombudsman program and applicable long-term care discharge rules and regulations
- Worked with Legislators to draft an ombudsman funding bill to help protect the ombudsman program and a nursing home involuntary discharge bill to further protect resident's rights
- Created and printed an Abuse Prevention Pocket Guide for long-term care staff

SB 340 Written Testimony.pdf

Uploaded by: Karrie Craig

Position: FAV



Maryland
Long-Term Care
Ombudsman Program

Date: February 6, 2026

Bill Number: **SB 340**

Bill Title: Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman

Committee: Finance

Office of the Long-Term Care Ombudsman Position: FAVORABLE

The Maryland Office of the Long-Term Care Ombudsman Program thanks the Chair and Members of the Committee for the opportunity to submit testimony in strong support of Senate Bill (SB) 340 – Nursing Facilities – Medicaid Quality Assessment – Funding of the Office of the Long-Term Care Ombudsman.

SB 340 requires that at least three percent of the special funds collected through the Nursing Home Quality Assessment be used to support the operations of the Maryland Long-Term Care Ombudsman Program. These funds are intended to supplement, not replace, existing appropriations for the Long-Term Ombudsman Program.

Program Overview

The Maryland Long-Term Care Ombudsman Program (Ombudsman Program) is authorized under the Older Americans Act and operates statewide to advocate for the health, safety, rights, and well-being of more than 54,000 Marylanders living in nursing homes and assisted living homes.

In fiscal year 2025, the Ombudsman Program:

- Made 7,252 visits to long-term care homes
- Provided 7,013 instances of information and assistance
- Investigated, verified, and resolved 3,978 complaints made by or on behalf of residents

Local ombudsmen across Maryland empower residents through person-directed advocacy, investigate complaints, and provide education and training for facility staff and the community.

Funding Challenges

Despite the vital nature of this work, the Ombudsman Program has been flat funded for more than a decade, receiving approximately \$1.1 million in state funds and approximately \$400,000 in federal funds, even as Maryland's older adult population and the complexity of residents' needs have grown dramatically.

The Long-Term Care Ombudsman federal funding is vulnerable. Just last year federal funds for all Ombudsman programs were removed across the country. We advocated and funding was reinstated at a flat rate. This funding is crucial to the day-to-day operations of the ombudsman program and is one-third of our operating budget. Now is the time to be proactive and secure funding at the state level in order to protect the residents of long-term care and ensure they have a voice.

The Importance of the Ombudsman Program

The Ombudsman Program serves as a lifeline for residents. Ombudsmen provide a confidential, trusted space where residents can speak openly about abuse, neglect, or unmet needs without fear of retaliation. Ombudsmen give voice to those who cannot speak for themselves or may be too afraid to do so. Ombudsmen are the voice of the residents and their safe space.

Every working day, ombudsmen meet with residents, respond to families, and collaborate with nursing home staff to address concerns around care, safety, autonomy, dignity, and quality of life. Residents and families consistently tell us that the Ombudsman is the only independent party they fully trust to listen and act.

Investing in the Ombudsman Program Supports Better Outcomes - Research from Milbank indicates that increased state funding for Long-Term Care Ombudsman programs correlates with improved care outcomes, including reduced use of inappropriate practices and better advocacy capacity. [Trends in Long-Term Care Ombudsman Program Funding and Its Relationship to Nursing Home Resident Care | Milbank Quarterly](#)

States are contributing more to their federally mandated Ombudsman Programs than they have historically. Overall, Ombudsman funding increased over 20 years. However, the share of federal contributions to the Ombudsman Program has decreased from 58.8% in 2000 to 46.9% of the total program's budget in 2019 states that have increased funding for their Ombudsman Program observe better nursing home resident care. These findings support calls to increase funding.

Why SB 340 Matters

A stable, dedicated funding source through a modest share of the existing Nursing Home Quality Assessment is both logical and equitable. The assessment is already collected from the settings where the residents live; those residents need and deserve to have a small portion of the funds

reinvested directly into the crucial resident protection and advocacy services Ombudsmen provide. Approximately 12% of states utilize the quality assessment to help fund their ombudsman programs.

Importantly, this bill does not seek funding at the expense of residents or facilities. Instead, it strengthens a program that benefits all stakeholders. Ombudsmen serve as a preventive resource for residents and nursing homes by resolving complaints early, mediating conflicts, and helping to improve quality of care before issues escalate to the Office of Health Care Quality. We believe this special fund has enough resources to continue to support residents, nursing homes and to help fund the ombudsman program.

The Broader Impact

This issue extends beyond advocacy—it is also about prevention. Should federal or state budget reductions diminish services such as home-delivered meals, case management, or in-home supports, more Marylanders will be forced into institutional settings, increasing the need for ombudsman services. Looming federal Medicaid cuts will translate into challenging times for long-term care. We need to have a well functioning, well resourced, Ombudsman Program in Maryland to protect residents.

The recent, but thankfully short-lived, federal proposal to eliminate all Long-Term Care Ombudsman funding underscored the vulnerability of this program. Maryland now has a vital opportunity to secure a sustainable, state-level funding stream that protects residents and supports essential advocacy.

Call to Action

Every day, ombudsmen make a tangible difference—advocating for safe discharges, ensuring residents’ preferences are honored, investigating abuse complaints and improving daily life in nursing homes. But when funding falls short, fewer homes are visited, residents wait longer for help, and systemic issues may go unaddressed.

With additional funding, the Maryland Long-Term Care Ombudsman Program would be able to:

- Provide more ombudsman access to long-term care residents
- Increase systemic advocacy on issues like involuntary discharges, resident-directed living and abuse prevention
- **Provide a full-time ombudsman position in every county**
- Increase the state office staff to support local offices, provide guidance and system advocacy and training
- Create a robust volunteer program
- Provide additional person-directed care, culture change and abuse prevention trainings to long-term care homes

Now is the time to act. Maryland has this amazing opportunity to ensure sustainable funding that safeguards this essential program and the residents it serves.

For These Reasons, We Urge a Favorable Report on SB 340 to:

- Safeguard the health, safety, dignity, and rights of Maryland's long-term care residents.
- Ensure residents have independent, trusted advocates who will listen and act.
- Strengthen the Ombudsman Program as both a resident advocate and resource to nursing homes.
- Maintain a consistent, daily presence in Maryland's long-term care facilities.
- Address over a decade of stagnant funding amid rising need and growing complexity of care.

Every working day, Ombudsmen are in nursing homes across Maryland—listening, educating, resolving concerns, and standing up for dignity and respect. Now is the time to protect those who protect Maryland's most vulnerable citizens. Please vote in favor of SB 340 and send a clear message that Maryland's long-term care residents matter and deserve a voice. We need to be proactive. Protect the Maryland Long-Term Care Ombudsman Program.

If you have any questions, please contact Karrie Craig, State Long-Term Care Ombudsman, at karrie.craig@maryland.gov or (410) 940-1721.

Respectfully submitted,



Karrie Craig
State Long-Term Care Ombudsman

SB 0340_FAV.pdf

Uploaded by: Kayenda Twesigye

Position: FAV

KATHERINE A. KLAUSMEIER
County Executive



PAM KASEMEYER
Director of Government Affairs

BRAD KRONER
Deputy Director of Government Affairs

KAYENDA TWESIGYE
State Legislative Officer

BILL NO: SB 340
TITLE: Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the 3 Long-Term Care Ombudsman
SPONSOR: Senator Hettleman
COMMITTEE: Finance
POSITION: **SUPPORT**
DATE: February 10, 2026

Baltimore County SUPPORTS Senate Bill 340 – Funding the Office of the Long-Term Care Ombudsman.

The Baltimore County Long-Term Care Ombudsman Program is currently housed at the Baltimore County Department of Aging, which serves as Baltimore County’s Area Agency on Aging. Baltimore County is home to one of the largest and fastest-growing populations of older adults in Maryland, and demand for effective oversight and advocacy in long-term care settings continues to grow accordingly. The Baltimore County Long-Term Care Ombudsman Program serves approximately 9,200 individuals across 43 nursing homes and 187 licensed assisted living facilities, representing more than 9,000 licensed beds countywide.

Senate Bill 340 provides a critical and timely funding mechanism to ensure that residents of long-term care facilities have access to independent advocacy to protect their health, safety, welfare, and rights. The Long-Term Care Ombudsman Program plays an essential role in identifying, investigating, and resolving complaints raised by residents and their families. In Fiscal Year 2025 alone, the Baltimore County program opened **566 cases**, closed **483 cases**, and addressed **775 complaints**, the majority of which involved concerns about quality of care, residents’ rights and dignity, abuse or neglect, and admission, transfer, or discharge issues.

Beyond complaint investigation, Long-Term Care Ombudsmen serve a critical preventive and educational function. The program conducts “routine access visits” to provide information and assistance to residents and families, support resident and family councils, and deliver education and training to facility staff and community members. In FY2025, the Baltimore County program completed more than **1,100 instances of information and assistance**, nearly **800 “routine access visits”**, and participated extensively in resident and family councils and facility engagement efforts. These activities help prevent problems before they escalate and strengthen transparency and accountability within long-term care settings.

KATHERINE A. KLAUSMEIER
County Executive



PAM KASEMEYER
Director of Government Affairs

BRAD KRONER
Deputy Director of Government Affairs

KAYENDA TWESIGYE
State Legislative Officer

The Baltimore County Department of Aging works daily with older adults, caregivers, service providers, and state and local partners. This on-the-ground experience underscores the growing complexity and volume of cases facing the Ombudsman Program and the need for sufficient, sustainable funding to meet statutory responsibilities. Senate Bill 340 would enhance the program's capacity to respond more quickly to complaints, expand outreach to underserved facilities, and increase public awareness of long-term care options and residents' rights.

Baltimore County is committed to advancing policies and practices that support residents across the lifespan, particularly those most vulnerable to abuse, neglect, and rights violations. Senate Bill 340 strengthens a proven, resident-centered oversight model that is essential to ensuring dignity, safety, and accountability in long-term care.

Accordingly, Baltimore County urges a **FAVORABLE report on Senate Bill 340** from the Senate Finance Committee. For more information, please contact **Kayenda Twesigye, State Legislative Officer of Government Affairs**, at ktwesigye@baltimorecountymd.gov.

SB0340 Favorable.Commission on Aging.2.6.26.pdf

Uploaded by: Linda Bergofsky

Position: FAV



COMMISSION ON AGING

TESTIMONY ON SB0340 - POSITION: FAVORABLE

Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman

TO: Chair Beidle, Vice Chair Hayes and members of the Finance Committee
FROM: Linda Bergofsky, Co-Chair, Montgomery County Commission on Aging

I am writing on behalf of the Montgomery County Commission on Aging (CoA) in support of SB0340—Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman. The CoA was established by Montgomery County in 1974 pursuant to a requirement of the Federal Older Americans Act of 1965, that there be an Advisory Council to the Area Agency on Aging. In that role, the CoA serves as an advocate for the health, safety, and well-being of the County's 240,000 older residents at the local, State, and National levels. This legislation addresses a long-standing priority of the Commission and its constituents —ensuring that vulnerable older adults who reside in nursing homes receive high quality care in safe environments that preserve the rights of all residents.

The Maryland Long-Term Care Ombudsman Program — along with Federal and State regulations and periodic inspections by the State — make up the three pillars essential to ensuring quality of care in nursing homes. The Maryland Long-term Care Ombudsman Program has just two State staff responsible for training, policy and procedures, community education, and legislative advocacy and engagement on behalf of the program.

The proposed increase in funds for the Maryland Long-Term Care Ombudsman Program, beginning in fiscal year 2027 of a minimum of 3% of the special funds collected through the Nursing Home Quality Assessment, will strengthen the ability of the Ombudsman Program to meet its federal responsibilities under the Older Americans Act; support County programs as they recruit and train staff and volunteers; and provide an essential safeguard for Maryland's most vulnerable older adults and their families. We need this legislation to maintain the extraordinary level of service delivered by staff and volunteer Ombudsmen across the State.

The Montgomery County Commission on Aging respectfully urges the return of a Favorable decision and report on SB0340.

Linda Bergofsky
Co-Chair, Montgomery County Commission on Aging

Department of Health and Human Services

401 Hungerford Drive, 4th Floor, Rockville, Maryland, 20850 240-777-1120, FAX 240-777-1436

SB 340 - FAV - FIN - ALZ Association.pdf

Uploaded by: Megan Peters

Position: FAV



Bill: SB 340 - Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman

Committee: Finance

Position: Favorable

Date: February 10, 2026

On behalf of the 127,200 Marylanders living with Alzheimer's disease and the many others with another type of dementia, the Alzheimer's Association supports SB 340. This bill will strengthen the Maryland Long-Term Care Ombudsman Program by requiring the Governor to allocate at least 3% of revenues from the Medicaid Nursing Facility Quality Assessment to support Ombudsman operations. This stable funding commitment is essential to protect the health, safety, and well-being of residents living with dementia in long-term care settings.

Marylanders living with dementia make up a substantial portion of Maryland's long-term care population. In 2025, an estimated 46% of nursing home residents and 42% of individuals in residential care facilities (such as assisted living) were living with dementia.¹ These individuals rely on the Ombudsman Program to investigate complaints, safeguard resident rights, and advocate for individuals who often cannot advocate for themselves.

The Ombudsman Program's Fiscal Year (FY) 2025 Annual Report highlights the immense demand for their services. In FY25 alone, the Program investigated 3,978 complaints and completed 7,252 visits to nursing homes and assisted living homes. These numbers underscore how critically residents depend on the Ombudsman Program, especially individuals living with dementia who may have difficulty communicating concerns about abuse, neglect, poor care transitions, medication errors, or involuntary discharges.

SB 340 is an essential step toward ensuring sustainability in the Ombudsman Program. The Nursing Home Quality Assessment, essentially a bed tax on certain nursing homes, helps fund Medicaid reimbursements and support improvements in care. In FY24, this assessment generated approximately \$194 million,² which is then matched 50% by the federal government. A 3% allocation from this fund is a minimal, appropriate share, given the size of the fund and its intended purpose to also support quality of care. In addition, if federal support for the Ombudsman Program declines, Maryland risks losing ombudsman staff positions, directly reducing protections for some of the state's most vulnerable residents.

By ensuring stable funding, SB 340 directly strengthens Maryland's long-term care system and protects thousands of residents with dementia. For these reasons, the Alzheimer's Association urges a favorable report on SB 340. Please contact Megan Peters, Director of Government Affairs at mrpeters@alz.org with any questions.

¹ 2025 Alzheimer's Disease Facts and Figures,

<https://www.alz.org/getmedia/ef8f48f9-ad36-48ea-87f9-b74034635c1e/alzheimers-facts-and-figures.pdf>

² Nursing Home Health Quality Assessment Implementation Annual Report, FY 2024,

[https://dlslibrary.state.md.us/publications/Exec/MDH/HG19-310.1\(f\)_2024\(rev\).pdf](https://dlslibrary.state.md.us/publications/Exec/MDH/HG19-310.1(f)_2024(rev).pdf)

SB 340 - FAV.pdf

Uploaded by: Megan Peters

Position: FAV



Maryland Senior Citizens Action Network

MSCAN

AARP Maryland

Baltimore Jewish Council

Catholic Charities of Baltimore

Central Maryland Ecumenical Council

Church of the Brethren

Episcopal Diocese of Maryland

Housing Opportunities Commission of Montgomery County

Lutheran Office on Public Policy in Maryland

Maryland Association of Area Agencies on Aging

Maryland Catholic Conference

Mental Health Association of Maryland

Mid-Atlantic LifeSpan

National Association of Social Workers, Maryland Chapter

Presbytery of Baltimore

The Coordinating Center

*MSCAN Co-Chairs:
Carol Lienhard
Megan Peters
410-921-9005*

The Maryland Senior Citizens Action Network (MSCAN) is a statewide coalition of advocacy groups, service providers, faith-based and mission-driven organizations that support policies that meet the housing, health, and quality of care needs of Maryland's low and moderate-income seniors.

MSCAN supports SB 340. Older adults in Maryland deserve safe, high-quality long-term care and access to an independent advocate when concerns arise. SB 340 strengthens the Maryland Long-Term Care Ombudsman Program by requiring the Governor to allocate at least 3% of revenues from the Medicaid Nursing Facility Quality Assessment to support Ombudsman operations. This modest, reliable funding source is critical to protecting the health, safety, dignity, and rights of long-term care residents.

The Ombudsman Program is a federally mandated service under the Older Americans Act, operating statewide to advocate for more than 54,000 Marylanders living in nursing homes and assisted living facilities. Demand for Ombudsman services continues to grow alongside the state's aging population. In FY25 alone, ombudsmen made 7,252 visits, provided 7,013 instances of information and assistance, and investigated and resolved 3,978 complaints made by or on behalf of residents. These activities are essential to ensuring resident rights, resolving concerns quickly, and supporting facility staff in maintaining high-quality care.

Despite these critical responsibilities, the Ombudsman Program has been flat-funded for more than a decade, even as the number and complexity of resident needs have increased. Maryland must ensure a stable, state-level funding stream to protect residents and maintain essential advocacy services. SB 340 will provide this stability. The Nursing Home Quality Assessment generated approximately \$194 million in FY24 and is matched 50% by federal funds. SB 340 will reinvest a small portion of existing dollars into safeguarding residents and supporting early conflict resolution, abuse prevention, and systemic advocacy.

A well-resourced Ombudsman Program benefits the entire long-term care system. Ombudsmen help resolve issues before they escalate, reduce regulatory complaints, support families, and improve communication between residents and facilities. Research shows that states investing in their Ombudsman Programs see improved care outcomes and stronger resident protections.

For these reasons MSCAN urges a favorable report.

SB340_RichardKaplowitz_FAV

Uploaded by: Richard Kaplowitz

Position: FAV

SB0340_RichardKaplowitz_FAV

02/10/2026

Richard Keith Kaplowitz

Frederick, MD 21703

TESTIMONY ON SB#/0340- POSITION: FAVORABLE

Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman

TO: Chair Beidle, Vice Chair Hayes, and members of the Finance Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0340, **Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman**

This bill is personal to me. During my late son's hospitalization in long term and rehab nursing homes I often was forced, as his advocate, to meet with multiple members of the administration of those facilities to address problems with his care. In those facilities these staff members admitted to me that I was a strong advocate for my son and that was a very unusual occurrence for them. It seems most of their patients had no one to champion their continued care.

This bill will address that lack of people to be there for those patients by requiring the Governor to include in the annual budget bill at least 3% of the special funds collected from the Medicaid quality assessment imposed on certain nursing facilities to fund the operations of the Office of the Long-Term Care Ombudsman.

Every person in a nursing facility in Maryland must be offered and guaranteed the highest quality care available. The ombudsman can be their advocate to ensuring facilities are living up to that promise.

I respectfully urge this committee to return a favorable report on SB#/0340.

SB 340 - Office of Long Term Care Ombudsman - FAV

Uploaded by: Roxann Montgomery

Position: FAV



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**SB 340 - Nursing Facilities – Medicaid Quality Assessment –
Funding of the Office of the Long-Term Care Ombudsman
Senate Finance Committee
February 10, 2026
FAVORABLE**

Good afternoon, Chair Beidle, Vice Chair Hayes, and honorable members of the Senate Finance Committee. My name is Roxann Montgomery. I live in Howard County, and I am a member of the AARP Maryland volunteer advocacy team. Thank you for the opportunity to submit testimony in support of Senate Bill 340, which will create more stable and predictable funding for the Office of the Long-Term Care Ombudsman. Thank you to Senator Hettleman for sponsoring this important legislation.

I was a hands-on caregiver for my parents for 8 years in their home. For several years, I hired overnight caregivers, but they were not keeping my parents safe at night. After my father had a stroke, I realized that I couldn't provide safe care for them around the clock in their home. I believed my only choice was to move them to a 24-hour care facility. That decision began a 2- and 1/2-year period where I was an eyewitness to repeated occurrences of dangerously inadequate care in long-term care facilities.

My folks progressed from the "memory care" unit at an assisted living to the rehab wing of a nursing home, to the long-term wing of that same nursing home. Each of these facilities was consistently understaffed, undersupplied, and minimally supervised. As a result, I spent 14 to 24 hours a day caring for my folks (mostly my mom) in these facilities. I regularly checked that my mom was receiving her medications and not those of her roommate. I fed her, changed her, and made sure she had clean oxygen tubing that wasn't full of condensation. I discussed issues with the charge nurse, who generally wouldn't look up from the desk, but would hand me a paper form to fill out and drop in a box for management to resolve the next day. The floor manager was rarely on the floor, but I would email her about unresolved issues. I never got a response.

When a family emergency occurred, and I had to be out of state for 48 hours, I came back to find that my mom had been put on a broad-spectrum antibiotic. I asked the floor nurse why, since I was unaware my mom had been seen by a doctor. The nurse had no information about when the doctor saw my mom or what the diagnosis was. At this point, I contacted the long-term care Ombudsman's office in Howard County.

The Ombudsman was attentive, polite, and professional, and collected all relevant details from me. They explained that the office would investigate the issue and notify the appropriate authorities if they could not resolve the problem. Within a short period of time, I saw multiple inspectors physically come onto my mom's floor and audit scores of notebooks containing the

medical records at the nurses' station. Later, I checked the CMS Nursing Home Compare website and saw that a complaint inspection had been conducted at my mom's nursing home, and I read the online report.

The report documented that the audit found issues with the medical records of multiple residents. Neither my identity nor my mom's name was listed in the report (which protected us from possible retribution), but the details of the complaint matched those I had reported to the Office of the Ombudsman. Ultimately, I learned that a nurse had been unable to read a prescription that was handwritten by the nursing home's doctor, so the nurse made a best guess at the illegible name of the patient when the nurse typed up the order.

Long-term care is an area where most consumers have very little familiarity and very little leverage when sub-adequate care is provided. Ombudsmen evaluate, educate, resolve conflicts, and, when necessary, report issues to the appropriate state agencies. They work to bring productive outcomes for consumers in need, for providers who deliver good care, and for oversight agencies who benefit from the ombudsman's groundwork in analyzing and documenting vetted issues with care.

Stable, predictable funding for long-term care ombudsman is essential. With that thought in mind, I request a favorable vote on SB 340.

SB 340 - Funding of Office of the Long-Term Care O

Uploaded by: Sara Westrick

Position: FAV



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**SB 340 - Nursing Facilities – Medicaid Quality Assessment –
Funding of the Office of the Long-Term Care Ombudsman
Senate Finance Committee
February 10, 2026
FAVORABLE**

Good afternoon, Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee. Thank you for the opportunity to submit testimony in support of Senate Bill 340, which will create more stable and predictable funding for the Office of the Long-Term Care Ombudsman. We thank Senator Hettleman for sponsoring this important legislation.

My name is Sara Westrick, Advocacy Director for AARP Maryland, and I am a recently appointed member of the Oversight Committee on Quality of Care in Nursing Homes and Assisted Living Facilities. AARP Maryland has a long history of advocacy on long-term care issues and deeply values the work of the Long-Term Care Ombudsman.

AARP Maryland is one of the largest membership-based organizations in the state, with approximately 850,000 members. We represent the interests of Maryland's over 50 population, including families who rely on high-quality nursing home and assisted living care. AARP brings the lived experiences, concerns, and priorities of our members to the discussion table, ensuring that policy decisions reflect the needs of older adults.

Senate Bill 340 makes a targeted, responsible adjustment to Maryland's nursing facility quality assessment by dedicating a small portion of existing assessment revenue to support the essential Office of the Long-Term Care Ombudsman. The primary purpose of the assessment, which is Medicaid nursing facility reimbursement, is preserved.

At its core, this bill is about strengthening resident protections, stabilizing an essential oversight function, and improving system accountability. SB 340 would establish a reliable, predictable, and ongoing funding stream for the Office of the Long-Term Care Ombudsman. By dedicating a modest three percent of quality assessment revenue, the bill reduces the Ombudsman's dependence on annual general fund negotiations.

This stability is expected to prevent staffing cuts, improve program continuity, and allow for long-term planning and training. This innovative financing approach also insulates the Office of the Long-Term Care Ombudsman from dependence on federal funds, which can be withheld or delayed, as occurred last year, causing uncertainty and unnecessary stress to the system.

With predictable funding, the Ombudsman's office can shorten response times to complaints and expand outreach to residents and families. The outcome is a stronger, more resilient Ombudsman

program that can consistently serve residents across the state. The office can prevent small problems from becoming major ones, and its function is critical to upholding the quality of care and resolving complaints from residents and their families.

In sum, SB 340 represents a modest but meaningful investment in independent oversight that strengthens resident protections, supports accountability, and promotes system stability, all without undermining Medicaid reimbursement or facility finances.

For these reasons, we respectfully urge a favorable report on Senate Bill 340.

If you have any questions, please contact Sara Westrick at swestrick@aarp.org or by calling 410-310-0374.

SB340_FAV_Hettleman.pdf

Uploaded by: Shelly Hettleman

Position: FAV

SHELLY HETTLEMAN
Legislative District 11
Baltimore County

Chair, Rules Committee
Budget and Taxation Committee

Subcommittees
Capital Budget
Health and Human Services
Chair, Pensions

Joint Committees
Senate Chair, Audit and Evaluation
Senate Chair, Pensions



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN
SB 340 - NURSING FACILITIES - MEDICAID QUALITY ASSESSMENT - FUNDING
OF OFFICE OF THE LONG-TERM CARE OMBUDSMAN

Madam Chair, Mr. Vice Chair, and members of the Senate Finance Committee, I am writing to express my strong support for **SB 340 - Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman**.

The Maryland Long-Term Care Ombudsman program exists to protect the health, safety, dignity, and autonomy of older adults and individuals with disabilities who live in nursing homes, assisted living facilities, and other long-term care settings. Ombudsmen advocate for residents in situations including routine quality-of-life concerns such as choice, independence, and access to services, as well as serious cases of neglect and abuse.

Last year alone, Maryland Ombudsmen:

- made **7,252 visits** to nursing homes and assisted living facilities,
- investigated, verified and resolved **3,978 Complaints**, and
- provided **173 Community Education events**.

Behind these numbers are real people. For example, ombudsmen are often called when residents are told that staff “do not have time” to assist with basic needs. These situations may seem minor, however, they can easily escalate into neglect or harm if there is no early intervention. Ombudsman advocates are often the only independent voice residents have.

These concerns are compounded by an emerging and deeply troubling issue in Maryland: the proliferation of unlicensed assisted living facilities existing and operating outside of regulatory oversight. Investigations and reports have revealed that vulnerable older adults are sometimes placed in unlicensed settings where protections and accountability are limited.^{1,2} In these environments, residents are at a heightened risk of neglect, exploitation, and abuse. The Long-Term Care Ombudsman Program is often one of the only entities positioned to identify, investigate, and advocate for residents in such settings. As these challenges grow, so does the demand for Ombudsman services, but without a corresponding increase in resources.

What Maryland is facing today is only the beginning. The state is in the midst of a profound demographic shift, as state data shows that Maryland’s **population age 65 and older will grow**

to more than 25% of the state's residents within the next two decades.³ At the same time, the complexity of care is increasing, with more older adults living with multiple chronic conditions, cognitive impairments, and advanced care needs that demand sustained oversight and advocacy. The rapid growth in the older adult population will place an unprecedented strain on an already under-resourced system, ultimately impacting those least able to advocate for themselves including low-income seniors, individuals with disabilities, and residents of long-term care facilities. In order to meet the needs of the growing older population, deliberate investment into the Long-Term Care Ombudsman Program is essential as a means to ensure that vulnerable residents are seen, heard, and protected.

Today, Maryland's Ombudsman Program is funded through a combination of state and federal dollars. Current funding totals roughly **\$1.5 million**, with approximately:

- **\$400,000 from the federal government**, and
- **\$1.1 million from the State of Maryland.**

This funding level is already insufficient to meet demand. At the same time, there are significant and credible concerns about potential federal funding reductions due to broader changes to federal Health and Human Services budget priorities. Without a dedicated, sustainable funding source, the Ombudsman Program remains vulnerable at a time when Maryland's aging population is rapidly growing, and the complexity of long-term care is increasing.

Maryland already collects a Medicaid quality assessment, referred to as a "bed tax", on nursing facilities. This assessment is approximately \$32 per Medicaid bed per day and generates hundreds of millions of dollars annually. In Fiscal Year 2024, this assessment generated approximately **\$198 million**, which was used to reimburse nursing facilities for Medicaid resident care, and support pay-for-performance initiatives. Senate Bill 340 proposes a modest, targeted budget reform by allocating **just 3% of the quality assessment fund** to the Office of the Long-Term Care Ombudsman. This would yield an estimated **\$3–5 million annually**, dramatically strengthening oversight and advocacy without undermining the core purpose of the fund.

Some may argue that every dollar of the Medicaid quality assessment should flow back to providers. However, SB 340 recognizes that quality care requires funding for facilities in conjunction with funding for independent oversight. With nursing facilities receiving substantial funding through Medicaid, it is both reasonable and necessary that a small portion of that money be dedicated to directly protecting the residents whose care those funds are meant to support. Therefore, I urge a favorable report from the committee.

1. Collins G. Senior 'trafficking': The shadow industry Maryland won't shut down. 2025. Accessed Feb 4, 2026. <https://www.baltimoresun.com/2025/11/12/senior-trafficking/>

2. Collins G. Senior trafficking: Maryland leaders urge action on oversight, transparency. 2026. Accessed Feb 4, 2026. <https://www.baltimoresun.com/?p=11950306/>

3. Collins G. Maryland's senior wave is coming - and oversight is already cracking. Updated 2025. Accessed Feb 4, 2026WJLA Web site. <https://wjla.com/news/local/marylands-senior-wave-is-coming-and-oversight-is-already-cracking>

SB340_MDH_UNF

Uploaded by: Meghan Lynch

Position: UNF



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

February 10, 2026

The Honorable Pamela Beidle
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 340 – Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman – Letter of Opposition

Dear Chair Beidle and Committee Members:

The Maryland Department of Health (the Department) respectfully submits this letter of opposition for Senate Bill (SB) 340 – Nursing Facilities – Medicaid Quality Assessment – Funding of Office of the Long-Term Care Ombudsman.

SB 340 requires the Governor to include in the annual budget bill a minimum of three percent of the special funds collected from the Medicaid quality assessment imposed on nursing facilities to support the operations of the Office of the Long-Term Care Ombudsman. The bill further clarifies that these funds must be in addition to, and may not supplant, funding otherwise appropriated for the Office. This requirement takes effect on July 1, 2026.

While well intentioned, this proposal would have serious and immediate fiscal consequences for Maryland's Medicaid program and the nursing facilities that serve some of the State's most vulnerable residents. This bill would divert funds away from nursing facilities—directly reducing provider rates and quality incentive payments. Critically, once these dollars are redirected, they would no longer be eligible for federal Medicaid matching funds, compounding the loss by shrinking total Medicaid resources.

As background, Medicaid provider assessments are a federally recognized financing mechanism that allow states to leverage additional federal Medicaid dollars. Maryland's nursing facility quality assessment is applied uniformly across the provider class, and once collected, the State draws down a 50 percent federal match. One hundred percent of the resulting funds are reinvested back into nursing facilities that serve Medicaid members, in accordance with State statute.

In fiscal year 2025, the Department collected \$147 million from the nursing home quality assessment. The current assessment, set at six percent of net patient revenues, is deposited into a special fund that may be used solely for Medicaid reimbursements to nursing facilities, as required by state statute.¹ **All of the nursing facility assessment funds go to nursing facilities** through rate increases, quality payments, and general reimbursement for services. Of the \$147

¹ <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=ghg§ion=19-310.1&enactments=false>

million in FY 2025, one third (approximately \$49 million) went into quality payments, one third to rate increases, and one third contributions to the state Medicaid budget for nursing facilities. As a result of these funds, nursing facilities have consistently received rate increases for their Medicaid patients ranging from three to eight percent from fiscal year 2019 through 2025. In addition, they received \$16,132,800 in quality bonus payments in 2025 from the assessment funding. Redirecting funding could potentially result in a cut in provider rates or a cut to quality payments that incentivize high quality and performance among nursing facility providers.

SB 340 would undermine this carefully structured financing system. Redirecting assessment funds to the Office of the Long-Term Care Ombudsman would remove those dollars from the Medicaid match pipeline, resulting in a net loss to the Medicaid program. For example, reallocating just \$4.41 million would eliminate an additional \$4.41 million in federal matching funds—an \$8.82 million total reduction to Medicaid. Absent these funds, Maryland Medicaid would have to consider reductions to nursing facility reimbursement rates or quality payments, directly jeopardizing provider stability and resident care.

If you would like to discuss this matter further, please do not hesitate to contact Meghan Lynch, Director of Government Affairs at meghan.lynch@maryland.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'Meena Seshamani', with a stylized flourish at the end.

Meena Seshamani, M.D., Ph.D.
Secretary

LeadingAge Maryland - 2026 - SB 340 - LTC Ombudsma

Uploaded by: Aaron Greenfield

Position: INFO



PO Box 34
Sykesville, MD 21784

TO: Senate Finance Committee
FROM: LeadingAge Maryland
SUBJECT: Senate Bill 340, Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman
DATE: February 10, 2026
POSITION: Letter of Information

LeadingAge Maryland offers this letter of information on Senate Bill 340, Nursing Facilities - Medicaid Quality Assessment - Funding of Office of the Long-Term Care Ombudsman.

LeadingAge Maryland is a community of more than 150 not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. Members of LeadingAge Maryland provide health care, housing, and services to more than 20,000 older persons each year.

Senate Bill 340 would require the Governor to include, in the annual budget bill, at least 3% of the special funds collected from the Medicaid quality assessment imposed on nursing facilities to support the operations of the Office of the Long-Term Care Ombudsman.

At the outset, LeadingAge Maryland wants to clearly state its strong support for the mission and work of the Office of the Long-Term Care Ombudsman. The Ombudsman plays a vital role in advocating for residents, addressing concerns, and promoting accountability across long-term care settings. Our concerns with Senate Bill 340 do not reflect any disagreement with the importance of that work. Rather, they relate to the funding mechanism proposed in the bill and the potential, unintended impacts on Medicaid reimbursement and resident care.

Our concerns include the following:

1. The nursing facility quality assessment is provider-funded and designed to support Medicaid reimbursement. The Medicaid nursing facility quality assessment is paid directly by nursing homes and was established specifically to support Medicaid reimbursement for nursing facility services. While the revenues flow through the State as special funds, they are not general

revenues. A significant portion of these dollars is returned to providers through enhanced Medicaid payments that help offset chronic underfunding and rising costs of care.

Requiring that at least 3% of assessment revenues—estimated at approximately \$5–6 million annually—be directed to fund the Office of the Long-Term Care Ombudsman would reduce the funds available for Medicaid reimbursement and direct resident care. From a provider perspective, this represents an added financial burden without a corresponding increase in resources to support care delivery.

2. Senate Bill 340 raises concerns about precedent. The bill would establish a precedent allowing provider-paid assessments to be redirected for purposes outside of Medicaid reimbursement. This creates uncertainty for providers by raising the possibility of future diversions, expansions, or increases to the assessment beyond its original intent.

Provider assessments have long been justified by a clear and shared understanding: providers contribute, and providers and residents benefit through strengthened Medicaid funding. Moving away from that principle risks undermining confidence in the assessment structure and creating long-term instability for the Medicaid nursing facility program.

3. Reduced Medicaid reimbursement capacity may affect access, staffing, and quality. Maryland nursing homes are operating in an increasingly challenging environment, facing workforce shortages, rising labor costs, and significant regulatory demands, while Medicaid rates often fall short of covering the cost of care. Any reduction in Medicaid reimbursement capacity can:

- Limit providers' ability to recruit and retain staff,
- Constrain investments in quality improvement and regulatory compliance, and
- Place additional strain on nonprofit, mission-driven providers.

Over time, diminished Medicaid funding may adversely affect the very residents the Ombudsman is intended to serve and protect.

4. Funding a core state function through the regular budget process promotes sustainability. The Office of the Long-Term Care Ombudsman performs an essential state function that benefits residents across long-term care settings. LeadingAge Maryland believes this work is best supported through the regular State budget process—using general funds and federal Older Americans Act dollars—rather than through a statutory carve-out from a provider-specific revenue source.

While SB 340 includes non-supplantation language, it does not fully guard against reductions elsewhere in Medicaid nursing facility spending or ensure that providers are held harmless from the financial effects of the proposed diversion.

LeadingAge Maryland strongly supports adequate and sustainable funding for the Office of the Long-Term Care Ombudsman. We respectfully urge that this be achieved in a manner that

preserves Medicaid reimbursement and protects the resources needed to deliver high-quality care to nursing facility residents.

For these reasons, LeadingAge Maryland offers this letter of information for Senate Bill 340.

SB340 LOI Final.pdf

Uploaded by: Irnise Williams

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February 6, 2026

To: The Honorable Pamela Beidle, Chair
Finance Committee

From: Irnise F. Williams, Deputy Director, Health Education and Advocacy Unit

Re: Senate Bill 340 – Nursing Facilities – Medicaid Quality Assessment – Funding of
Office of the Long-Term Care Ombudsman - **LETTER OF INFORMATION**

The Office of the Attorney General’s Health Education and Advocacy Unit (HEAU) submits a letter of information on SB340. This bill provides a stable state funding stream for the Office of the Long-Term Care Ombudsman by requiring the Governor to include in the annual budget bill at least 3% of the special funds collected from the Medicaid quality assessment imposed on certain nursing facilities to help fund the operations of the Office.

The Long-Term Care Ombudsman Program is an advocacy program for residents in nursing homes and assisted living facilities in Maryland. From the [Program’s annual FY2024](#) report:

Authorized under the Older Americans Act, the Maryland Long-Term Care Ombudsman Program advocates for the health, safety, well-being, and rights of residents living in assisted living and nursing homes. Ombudsmen work at the direction of the resident and only take action with the resident’s consent. In Maryland, there are 220 nursing homes and 1,622 licensed assisted living homes totaling over 53,907 long-term care beds.

In FY2024, 3,312 complaints were investigated, verified and resolved by Long-Term Care Ombudsmen. 84% of complaints were resolved to the satisfaction of the residents.

The Long-Term Care Ombudsman Program is a critical safeguard for residents in nursing homes and assisted living facilities. Regular visits by ombudsmen ensure that residents understand their rights and have access to advocacy and support when issues arise. While facilities usually strive to provide quality care and quality of life, many residents have complex medical and psychosocial needs that cannot always be fully met by the facility alone. These gaps often lead to serious

concerns that require time, expertise, and independent investigation—services the Ombudsman Program uniquely provides.

The importance of this program is underscored by findings from the [Government Accountability Office](#), which highlight several challenges:

- Increasing complexity of resident needs, including mental health, substance misuse, and cognitive impairment, which require specialized advocacy and resources.
- Growth in the number of assisted living facilities, significantly expanding the workload for ombudsmen.
- Resource limitations, including funding and staffing shortages, make it difficult to meet demand and maintain effective oversight.

Additionally, the Long-Term Care Ombudsman Program is facing significant federal funding threats, making the program dependent on political conditions. Federal funding had been flat for many years. Maryland's aging population is projected to grow significantly over the next two decades. Without adequate, sustainable funding of the Long-Term Care Ombudsman Program, many older Marylanders may lack access to critical resources and advocacy needed to navigate the challenges of living in assisted living facilities or nursing homes.

Without adequate funding, residents risk losing access to a vital resource that protects their rights, addresses complaints, and ensures accountability in long-term care settings. Investing in the Ombudsman Program is not optional, it is essential to uphold the dignity, safety, and well-being of some of our most vulnerable citizens.

Thank you for considering this information as you review SB340.

cc: Senator Shelly Hettleman