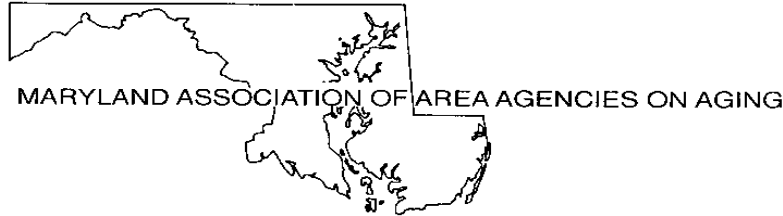


M4A - 2026 SB 493 FAV - Nursing Facilities-Involun

Uploaded by: Ann Ciekot

Position: FAV

M 4 A



*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*

BILL NO: Senate Bill 493
TITLE: Nursing Facilities – Involuntary Discharge or Transfer
COMMITTEE: Finance
POSITION: **SUPPORT**
DATE: February 24, 2026

Chair, Vice Chair, and Members of the Committee:

On behalf of the Maryland Association of Area Agencies on Aging (M4A), we respectfully submit this letter in support of Senate Bill 493, legislation that strengthens protections for nursing facility residents facing involuntary discharge or transfer.

Unplanned or inappropriate involuntary discharges can have devastating consequences for residents, particularly those with complex medical, behavioral health, or housing needs. Senate Bill 493 provides meaningful and necessary safeguards to ensure that residents are not discharged to unsafe or unsuitable settings, such as temporary housing, and that receiving facilities have confirmed their ability to accept and care for the resident prior to transfer.

The bill also strengthens notice requirements, improves transparency, and reinforces discharge planning standards by requiring facilities to identify a confirmed post-discharge location and develop a safe, secure, and sustainable plan of care. These provisions align with best practices in person-centered care and support continuity, stability, and resident choice.

Importantly, this legislation reinforces the role of the Long-Term Care Ombudsman Program and ensures residents receive timely and comprehensive information about their rights and available advocacy resources at a critical and often vulnerable point in their care. This clarity and accountability benefit not only residents and families, but also providers and the State by reducing preventable crises, hospitalizations, and homelessness among older adults.

As Maryland's population continues to age, policies that promote thoughtful discharge planning and protect residents from unsafe transitions are essential to supporting successful aging and responsible long-

term care oversight. Senate Bill 493 advances these goals and reflects Maryland's commitment to resident-centered care.

For these reasons, the Maryland Association of Area Agencies on Aging strongly supports Senate Bill 493 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 citizens with disabilities, 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, thereby enhancing opportunities and availability to all eligible citizens.

Written Testimony - MDOA - FAV - SB 493.docx.pdf

Uploaded by: Carmel Roques

Position: FAV



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: February 24, 2026

Bill Number: SB 493

Bill Title: Nursing Facilities - Involuntary Discharge or Transfer

Committee: Senate Finance Committee

MDOA Position: Favorable

Madam Chair, Vice-Chair, and Members of the Committee:

The Maryland Department of Aging (MDOA) respectfully submits this written testimony in strong support of Senate Bill 493, which strengthens protections for residents of nursing facilities by updating requirements around involuntary transfers and discharges. This important legislation aligns with long-term goals established in the state's longevity planning efforts and is consistent with our mission to protect the health, wellbeing, and dignity of older Marylanders.

Maryland's demographic landscape is shifting rapidly. According to projections, the older adult population, already significant, will represent a larger share of Maryland's residents in the coming decade. Preparing for this change is at the heart of the state's Longevity Ready Maryland (LRM) initiative, a comprehensive, 10-year multisector plan launched to ensure that Maryland supports healthy, secure, and purposeful lives for its older residents. Its framework is informed by population projections showing that Marylanders aged 60 and older will constitute roughly a quarter or more of the state's population by 2030, a trend that underscores the urgency of policy responses that sustain quality care, housing stability, and equitable access to services.

SB 493 supports this vision by enhancing protections that help ensure residents of nursing facilities, particularly those with complex health needs and limited options, are not displaced into unsafe or disruptive circumstances before appropriate care planning and confirmations have occurred.



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

For many older Marylanders, nursing facilities provide essential long-term care services that support daily living, medical needs, and social engagement. Forced or premature transfers can destabilize a resident’s health, particularly for those with cognitive impairments or multiple chronic conditions, and can undermine their ability to remain in safe, supportive environments.

SB 493 addresses specific gaps in existing discharge practices by requiring adequate notice before an involuntary discharge or transfer; ensuring residents receive critical information before movement to different settings; and strengthening the post-discharge planning process so families, caregivers, and support entities are informed and prepared.

These protections reflect the fundamental principles of respect, person-centeredness, and dignity that are core to both quality care and the Longevity Ready Maryland plan’s Epic Goals, including optimizing health, wellness, and mobility for Marylanders of all ages.

The Department’s implementation of Longevity Ready Maryland is focused on building more resilient systems of care that are coordinated across agencies, communities, and providers, including the long-term services and supports continuum that nursing facilities sit within. This legislative proposal strengthens that system by reducing unnecessary disruptions and prioritizing continuity of care for vulnerable populations. Protections such as those established by SB 493 help operationalize these goals by reducing avoidable transitions that can exacerbate health disparities and increase stress for residents and caregivers alike.

The Maryland Department of Aging respectfully urges a favorable report on SB 493. This legislation advances core elements of Maryland’s longevity agenda, enhancing resident protections, strengthening care continuity, and supporting an age-friendly care continuum that complements the goals of Longevity Ready Maryland.

SB0493 Nursing Facilities - Involuntary Discharge

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0493 – Nursing Facilities – Involuntary Discharge or Transfer – FAVORABLE

Bill Sponsor: Senator Beidle

Committee: Senate 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 **SB0493** 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.

SB0493 directly advances that mission by strengthening protections for nursing facility residents who face involuntary discharge or transfer, one of the most frequent and destabilizing issues reported to long-term care ombudsman programs.

This bill updates and modernizes Maryland’s requirements for discharge notices, timelines, and transition planning. It ensures that residents and families receive clear, timely, and comprehensive information when a facility seeks to discharge or transfer a resident. **SB0493 also prohibits facilities from discharging individuals to unsafe or inappropriate settings and requires confirmation that a receiving location is prepared to meet the resident’s needs.**

These provisions are both practical and urgently needed.

Involuntary discharges often result in dangerous gaps in care, medication interruptions, avoidable hospitalizations, and significant trauma for elderly and disabled Marylanders. Families are frequently left scrambling with little notice and inadequate support. SB0493 closes these gaps by ensuring that discharges are lawful, transparent, and centered on resident safety and not facility convenience.

By strengthening notice requirements and mandating meaningful transition planning, this bill helps ensure continuity of care, reduces emergency interventions, and supports better health outcomes for residents with complex medical needs. These protections are especially critical for individuals who lack strong family support systems or who are at heightened risk of exploitation or neglect.

SB0493 also reflects a trauma-informed and equity-centered approach. Involuntary discharges disproportionately impact low-income residents, individuals with chronic illnesses, and marginalized communities. Ensuring that residents are not uprooted from their care without proper safeguards affirms Maryland's commitment to dignity, fairness, and humane treatment for all.

SB0493 aligns squarely with the mission of the Maryland Legislative Coalition. It strengthens public safety, protects vulnerable residents, and promotes equitable access to stable, high-quality long-term care. By ensuring that all individuals in nursing facilities receive clear, consistent, and enforceable protections, this legislation reinforces Maryland's commitment to safeguarding its most vulnerable residents.

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 **SB0493**.

NASW Maryland - 2026 SB 493 FAV - Nursing Facility

Uploaded by: Karessa Proctor

Position: FAV



**Testimony before the Senate Finance Committee
February 24, 2026**

**Senate Bill 493 - Nursing Facility Involuntary Discharge or Transfer
SUPPORT**

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD) Committee on Aging, we would like to express our support for Senate Bill 493 - Nursing Facilities Involuntary Discharge or Transfer.

As social workers who serve older adults, we are in favor of this bill because it strengthens the regulations that are currently in place for involuntary discharges or transfers from long-term care facilities.

The current regulations delineate only five reasons a nursing home resident can be involuntarily discharged or transferred. The regulations also state the specific process and details for this type of discharge. Proper, timely notification of the discharge or transfer is required, as well as notification for the resident's right to appeal it. The regulations were created to preserve the rights of nursing home residents and to ensure that they were not transferred for other reasons such as running out of financial resources or becoming eligible for Medicaid.

According to the State's Long-Term Care Ombudsman Program, two of the top five complaints from residents and families are inadequate discharge planning and improper evictions from nursing home facilities. Families are often left in a panic as they struggle to find suitable care for their loved one after an abrupt discharge. The impact of involuntary discharge is difficult for both residents and their family.

Senate Bill 493 keeps the current regulations in place but goes further by requiring the receiving facility to be named on the discharge paperwork. In addition, the bill requires confirmation from the receiving facility that it will accept the resident and is prepared to receive the resident. The bill also provides more details to be included in the discharge notification, such as the name of the social worker who is designated to provide social services and discharge planning services to the resident.

The transition from the community to a nursing home is often difficult for families and residents. This difficulty is heightened by the fear the resident might be involuntarily discharged or transferred once they acclimate to the facility. Senate Bill 493 strengthens the regulations, thereby supporting the rights of nursing home residents. We ask for your favorable report on Senate Bill 493.

Respectfully,

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

SB 493 Written Testimony .docx.pdf

Uploaded by: Karrie Craig

Position: FAV



Maryland
Long-Term Care
Ombudsman Program

Date: February 18, 2026

Bill Number: **SB 493**

Bill Title: Nursing Facilities - Involuntary Discharge or Transfer

Committee: Finance

Office of the State Long-Term Care Ombudsman Position: FAVORABLE

The Maryland Office of the State 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) 493 – Nursing Facilities – Involuntary Discharge or Transfer.

The Office of the State Long-Term Care Ombudsman advocates for the health, safety, well-being and rights of residents in Maryland’s nursing homes and assisted living facilities. Each year, our program receives thousands of complaints from residents, family members, and representatives. Discharges and evictions remain the number one complaint our ombudsmen receive across the state, year after year. These discharges often occur without adequate notice, planning, or coordination, leaving vulnerable residents at risk of homelessness, hospitalization, or placement in unsafe settings.

SB 493 provides a critical safeguard by requiring nursing homes to give every resident a 30-day written notice before an involuntary discharge, except in limited circumstances that ensure resident safety. This measure will ensure that facilities and residents have the time needed to work together and plan appropriately, secure suitable housing, and coordinate needed services and supports in the community.

Specifically, SB 493 will:

- **Enhance due process** by establishing a clear, standardized requirement that is understandable and enforceable for residents and providers alike.
- **Increase transparency** by ensuring residents receive written notice explaining the reasons for discharge, their right to appeal, and how to access assistance from the Long-Term Care Ombudsman Program.

- **Strengthen protections** for vulnerable residents by preventing abrupt or unsafe discharges that can lead to homelessness, repeated hospitalizations, or loss of access to necessary medical care.
- **Promote safe and sustainable transitions** by giving residents and their families time to coordinate community resources, housing, and follow-up support, increasing the likelihood of successful outcomes.

Every nursing home resident deserves a safe, secure, and sustainable discharge process—one that protects their rights, maintains their dignity, and supports their well-being as they move into the community. SB 493 upholds the spirit and intent of both federal and state resident rights law by ensuring that every discharge is handled with fairness, preparation, and transparency. This bill strengthens accountability, protects resident rights, and helps prevent premature or unsafe discharges that can have devastating consequences.

For these reasons, the Office of the State Long-Term Care Ombudsman urges a **favorable** report on SB 493.

Thank you for your consideration and continued commitment to protecting Maryland's long-term care residents.

Respectfully submitted,

Karrie Craig

Karrie Craig
State Long-Term Care Ombudsman
Office of the State Long-Term Care Ombudsman

SB493_BaltCountyExecutive_FAV

Uploaded by: Kayenda Twesigye

Position: FAV



BILL NO: SB 493

TITLE: Nursing Facilities – Involuntary Discharge or Transfer

SPONSOR: Senator Beidle

COMMITTEE: Finance

POSITION: **SUPPORT**

DATE: February 24, 2026

Baltimore County **SUPPORTS** Senate Bill 493 – Nursing Facilities – Involuntary Discharge or Transfer. Baltimore County is home to one of the largest older adult populations in Maryland. More than 200,000 residents in our county are age 60 and older, and that number continues to grow. Statewide, nearly 1 in 4 Marylanders is age 60 or older. As our population ages, ensuring stability, dignity, and due process in long-term care settings becomes increasingly critical.

Baltimore County Department of Aging (BCDA) works closely with residents of nursing facilities, their families, and the Long-Term Care Ombudsman Program to address concerns related to involuntary discharges and transfers. While federal and state laws already limit when such discharges may occur, we continue to see situations where residents and families experience confusion, inadequate notice, unclear discharge destinations, or discharge planning that does not adequately ensure safety and continuity of care.

Senate Bill 493 strengthens existing protections in meaningful and practical ways.

First, the bill prohibits involuntary discharge to hotels, shelters, or other temporary housing not identified in the official notice. Discharging a medically vulnerable older adult to temporary or unstable housing is not only disruptive, but can lead to medication errors, hospital readmissions, homelessness, and long-term health decline. This bill reinforces the principle that discharge destinations must be appropriate, confirmed, and prepared to accept the resident before transfer occurs.

Second, the bill enhances notice requirements. By requiring clear, standardized information including contact information for the hearing entity, the Long-Term Care Ombudsman Program, and Disability Rights Maryland, residents and families are better equipped to understand and exercise their rights. In our experience, many residents are unaware that they can request a hearing or consult legal assistance. Transparent and accessible notice is fundamental to procedural fairness.

KATHERINE A. KLAUSMEIER
County Executive



PAM KASEMEYER
Director of Government Affairs

BRAD KRONER
Deputy Director of Government Affairs

KAYENDA TWESIGYE
State Legislative Officer

Third, the bill strengthens discharge planning. Requiring identification of the exact discharge address and ensuring that the environment is safe, secure, and sustainable promotes continuity of care and reduces preventable crises. As the Area Agency on Aging, BCDA sees firsthand the downstream consequences of rushed or incomplete discharge planning: increased caregiver strain, emergency room visits, housing instability, and re-institutionalization.

Importantly, Senate Bill 493 maintains flexibility in true emergencies while ensuring that routine discharges follow a thoughtful, resident-centered process. It also clarifies that updated notices restart the 30-day period, preventing last-minute changes that leave families scrambling.

Maryland has made significant investments in aging in place, caregiver support, and community-based services. Those investments must be complemented by strong safeguards for individuals who reside in nursing facilities. Stability in housing and care settings is directly tied to health outcomes, dignity, and quality of life.

Senate Bill 493 reinforces Maryland's commitment to protecting some of our most vulnerable residents. It provides clarity to facilities, safeguards to residents, and stronger collaboration with oversight and advocacy programs.

Accordingly, Baltimore County urges a **FAVORABLE** report on Senate Bill 493 from the Senate Finance Committee. For more information, please contact Kayenda Twesigye, State Legislative Officer of Government Affairs at ktwesigye@baltimorecountymd.gov.

SB0493 2:24:26 Invol. transfer.pdf

Uploaded by: Lynn Mortoro

Position: FAV



TESTIMONY IN SUPPORT OF SB0493
Nursing Facilities - Involuntary Discharge or Transfer

FAVORABLE

TO: Chair Senator Pamela Beidle, Vice Chair Senator Antonio Hayes and members of the Senate Finance Committee

FROM: Lynn Mortoro, member of the Maryland Episcopal Public Policy Network (MEPPN)

DATE: February 24, 2026

Dear Chair Senator Beidle, Vice Chair Senator Hayes and all members of the Senate Finance Committee

Thank you for the opportunity to testify on this important bill.

As a retired Registered Nurse, I strongly support this bill. I worked for many years in the community and helped with placement at times of clients in facilities. It is vital that clients, families and other caregivers know and understand their rights to care. There needs to be a process for discharge for any reason.

The Episcopal Church “supports comprehensive health care and recognizes the need for universal and equitable access for all.” This would mean that proper planning for transitions from facility to another or to a different location, is important for safety and health.

**The Maryland Episcopal Public Policy Network (MEPPN) requests a
FAVORABLE report**

The Maryland Episcopal Public Policy Network (MEPPN) is a ministry of The Episcopal Diocese of Maryland, The Episcopal Diocese of Washington, and The Delaware-Maryland Synod ELCA

SB 493 - FAV - ALZ Association.pdf

Uploaded by: Megan Peters

Position: FAV



Bill: SB 493 - Nursing Facilities - Involuntary Discharge or Transfer

Committee: Finance

Position: Favorable

Date: February 24, 2026

On behalf of the 127,200 Marylanders living with Alzheimer's disease, the Alzheimer's Association supports SB 493. This legislation will strengthen protections for nursing home residents regarding involuntary discharge or transfers.

One of the most important provisions of this bill is the requirement that all residents receive at least 30 days' notice before an involuntary discharge or transfer, regardless of how long they have lived in the facility. This closes a longstanding gap, which previously only required a notice if an individual lived in the nursing home for at least 30 days. This update will ensure that families and caregivers have adequate time to understand the discharge decision, pursue assistance, and make safe alternative arrangements, regardless of how long their loved one has been in nursing home care. For people living with dementia, who may need extended time to adjust, plan, and secure appropriate care settings, this notice period is essential to their well-being.

Equally significant is the requirement that any involuntary discharge or transfer must result in placement that is safe, secure, and sustainable for the resident. This bill will require that a post-discharge plan identify the resident's intended address and to confirm that the receiving environment is appropriate and prepared to meet the resident's needs. This aligns with dementia-care research showing that poorly coordinated transitions heighten risks for confusion, distress, and unmet care needs, placing both individuals and caregivers under significant strain. Ensuring that a receiving setting has confirmed readiness and is appropriate is essential to preventing avoidable harm.

By requiring a universal 30-day notice, mandating safe and sustainable discharge locations, and strengthening transition safeguards, SB 493 meaningfully improves the protections for Maryland's most vulnerable long-term care residents. For these reasons, the Alzheimer's Association respectfully urges a favorable report on SB 493. Please contact Megan Peters, Director of Government Affairs at mrpeters@alz.org with any questions.

SB 493 - 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 493. SB 493 strengthens protections for nursing home residents regarding involuntary discharge or transfers. Specifically, it closes a longstanding loophole in the notice of involuntary discharge/transfer, as well as ensuring discharge placement is safe, secure, and sustainable for the resident.

One of the most important provisions in SB 493 is the requirement that **all residents, not only those who have lived in a facility for 30 days, receive a minimum of 30 days' written notice before an involuntary discharge or transfer occurs.** This long-needed update ensures that older adults and their caregivers have sufficient time to understand the discharge decision, seek assistance, file an appeal if necessary, and arrange safe, appropriate next steps. Predictable notice is a basic protection, and SB 493 guarantees it for all residents.

Equally critical is the bill's requirement that **any involuntary discharge must result in a placement that is safe, secure, and sustainable.** MSCAN members see firsthand the consequences when individuals are discharged to locations that cannot meet their needs. SB 493 sets a clear expectation that receiving settings must be prepared and appropriate, and that a post-discharge plan must include essential information, including the resident's intended address. These protections help prevent residents from being discharged to temporary or unsafe environments, reduce the risk of cycles of crisis and re-entry into institutional care, and promote stable community living.

These protections can strengthen care coordination across Maryland's long-term services and supports system. When transitions are planned, supported, and safe, older adults remain healthier, caregivers experience less stress, and community resources can be deployed more effectively. SB 493 promotes consistency, accountability, and transparency, improving the experience of residents and families while supporting the broader continuum of care.

For these reasons, MSCAN urges a favorable report for SB 493.

SB 493 - Involuntary Discharge - FAV - AARP MD.pdf

Uploaded by: Sara Westrick

Position: FAV



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aarp.org/md | md@aarp.org | twitter: @aarpm
facebook.com/aarpm

SB 493 - Nursing Facilities – Involuntary Discharge or Transfer
Senate Finance Committee
February 24, 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 493, which closes a loophole in the state’s involuntary discharge procedures. We thank Chair Beidle for sponsoring this important legislation.

My name is Sara Westrick, Advocacy Director for AARP Maryland, and I am a member of the Oversight Committee on Quality of Care in Nursing Homes and Assisted Living Facilities.

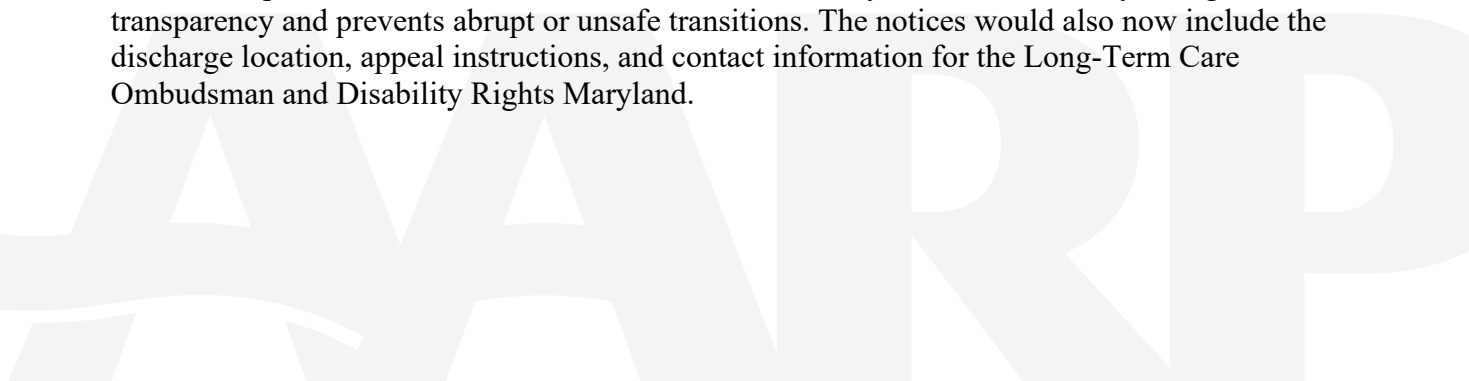
AARP Maryland is one of the largest membership-based organizations in the state, with approximately 850,000 members. We represent the interests of Maryland’s over 50 population, including families who rely on nursing home and assisted living care. AARP brings the lived experiences, concerns, and priorities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

AARP Maryland has a long history of advocacy on long-term care issues and is passionate about fixing this oversight in our law and ensuring that some of our most vulnerable residents are not put at risk through unsafe or inappropriate discharges.

Why AARP Supports SB 493

Across the state, residents and families frequently report persons being discharged to unsafe, unsuitable, or unprepared locations. SB 493 directly confronts these harmful practices by requiring that a resident may be discharged only to the specific location listed in the written notice and only after the receiving facility has confirmed it can safely accept the resident. These standards create accountability and prevent the unacceptable practice of discharging individuals to hotels, shelters, or other temporary settings without adequate support.

The bill also modernizes and strengthens Maryland’s discharge notice requirements. A standardized notice with clear, complete, and timely information will help residents and families to participate in the process and exercise their rights when necessary. The requirement that notices be updated and that a resident receive at least 30 days’ notice before any change ensures transparency and prevents abrupt or unsafe transitions. The notices would also now include the discharge location, appeal instructions, and contact information for the Long-Term Care Ombudsman and Disability Rights Maryland.



SB 493's improvements to post-discharge planning are equally essential. By requiring a detailed plan that is developed with the resident, their care team, and their representative when appropriate, the bill helps guarantee that residents have a stable and medically appropriate place to live after discharge. This focus on safety reflects national best practices and raises the standard of care.

The bill also reinforces important protections for Medicaid beneficiaries by prohibiting facilities from requiring private-pay periods during Medicaid eligibility and from discharging beneficiaries based on payer source. These safeguards are essential so residents who rely on Medicaid receive equal treatment and remain protected from financially motivated removals.

Conclusion

Involuntary discharge is one of the most traumatic events a nursing facility resident can experience. SB 493 creates urgently needed protections that promote safety, transparency, and dignity. For these reasons, AARP Maryland respectfully urges a favorable report on Senate Bill 493.

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

SB 493 - SWASC - NH Discharge - FAV.pdf

Uploaded by: UM SWASC

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 493
Nursing Facilities - Involuntary Discharge or Transfer
Finance Committee
February 24, 2026

Social Work Advocates for Social Change (SWASC) strongly supports SB 493, which will protect patients during nursing home discharges by requiring nursing homes to provide adequate notice and comprehensive planning before discharging a resident.

Unsafe, unplanned, and inadequate discharges of nursing home residents are a serious issue in the United States and Maryland. Some of the most vulnerable among us – elderly individuals with dementia, stroke patients who cannot speak, and patients who are wheelchair-bound – have been left on the side of the street with no protection and notification.

Nationally, nursing home “dumping” is a harmful practice that has impacted thousands of individuals and families. Inadequate discharge planning and improper eviction from nursing home facilities was listed nationally as one of the top five complaints under the National Ombudsman Reporting System, with over 14,000 formal complaints filed nationwide.¹ The Department of Health and Human Services Office of Inspector General 2024 report identified nationally that nursing homes often failed to provide documentation that “the receiving facility could provide services that meet residents’ needs” and residents were often not notified of their discharge – conditions that directly undermine safe transitions.²

This practice is well-documented within Maryland. The 2018 court case *State of Maryland v. Neiswanger Management Services* highlighted the seriousness of this issue in Maryland.³ This case documented unlawful discharges from nursing homes without planning, notice, or communication to families. Local reporting by WBAL-TV 11 identified one example of this where Vonda Wagner alleges that after experiencing a stroke that left her unable to speak, she was discharged from her nursing facility due to insurance noncoverage and moved to an “unlicensed assisted living facility which eventually dumped her on a downtown street” and is quoted saying “I couldn’t scream for help.”⁴

Our direct experiences working with vulnerable adults underscore the need for greater protections. Sadly, experiences like Vonda Wagner's are not uncommon. As students at the University of Maryland School of Social Work, we are employed or placed in practicum sites in which we have directly witnessed patient dumping outside of homeless shelters, at old addresses, or at facilities that cannot adequately meet patients’ needs. One member of our coalition recalls a client who had numerous

inadequately planned discharges. These practices not only endanger patients and traumatize families, but also violate core social work principles of justice, dignity, and protection of vulnerable populations.

SB 493 would help prevent these unsafe discharges by requiring nursing homes to provide adequate notice, proper documentation, and more comprehensive discharge planning for medically vulnerable residents. This legislation represents a necessary step toward ensuring that Maryland residents receive safe and ethical care during one of the most vulnerable transitions of their lives.

Social Work Advocates for Social Change urge the committee to issue a favorable report on SB 493.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

¹ Administration for Community Living. (2022). *National Ombudsman Reporting System (NORS) data: Long-Term Care Ombudsman Program complaint.*

² U.S. Department of Health and Human Services, Office of Inspector General. (2024). *Facility-initiated discharges from nursing homes: CMS should improve oversight and enforcement (OEI-01-18-00251).*

³ Public Justice Center. (n.d.). Attorney General can sue nursing homes for patient dumping, Court of Appeals rules.

⁴ WBAL-TV 11. (2019, March 1). *NMS nursing homes banned from Maryland for alleged patient dumping.*

SB0493_CoA_FAV_022026.pdf

Uploaded by: YVETTE MONROE

Position: FAV



COMMISSION ON AGING

TESTIMONY ON SB0493 - POSITION: FAVORABLE **Nursing Facilities – Involuntary Discharge or Transfer**

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

FROM: Yvette Monroe, Vice-Chair, Montgomery County Commission on Aging

Thank you for the opportunity to submit testimony in support of SB 0493 – The Montgomery County Commission on Aging (CoA) was established in 1974 pursuant to the Federal Older Americans Act of 1965, which requires an Advisory Council to each Area Agency on Aging. In this role, the CoA serves as an advocate for the health, safety, and well-being of older adults in Montgomery County at the local, State, and national levels.

SB 0493 strengthens essential protections for residents of long-term care facilities by ensuring that involuntary transfers and discharges occur only under appropriate, safe, and fully documented circumstances. The bill closes long-standing gaps that have allowed residents, particularly those with complex medical or behavioral health needs, to be discharged to unsafe or inappropriate settings such as hotels, homeless shelters, halfway houses, or small group homes that lack the staffing, clinical expertise, and care-coordination capacity to meet their needs.

The entities identified above have expressed concern that they are not equipped to manage individuals with serious or persistent mental illness, nor do they have the infrastructure to develop or implement care plans. They are not designed to provide medical oversight, behavioral health support, or coordinated services. SB 0493 recognizes this reality and prevents facilities from transferring or discharging residents into environments that cannot provide a safe, sustainable level of care. By requiring confirmation from the receiving facility and mandating a comprehensive post-discharge plan of care, the bill ensures that residents are not abandoned or placed in settings fundamentally incapable of supporting them.

Equally important, SB 0493 enhances notice requirements by mandating the use of a standardized, plain-language form that clearly outlines the reason for a transfer or discharge, the proposed location, the resident's rights, and available legal and advocacy resources. The bill also strengthens the transfer and discharge planning process by requiring identification of the resident's medical and basic needs, the address of the new residence, and assurances that the environment is safe, secure, and appropriate.

These improvements are vital for older adults, many of whom face complex medical conditions, limited financial resources, and reduced ability to advocate for themselves. Involuntary

discharges continue to create serious concerns for residents and their families. SB 0493 strengthens the protections and procedures needed to ensure that any transfer or discharge is carried out safely, appropriately, and with proper planning. The bill establishes practical safeguards to prevent unsafe or inappropriate removals from care facilities and clarifies, reinforces, and enforces what constitutes a truly 'safe discharge.

For these reasons, we respectfully urge a **FAVORABLE** report on **SB0493**.

SB0493_FWA_LifeSpan_Nursing Facilites - Involuntar

Uploaded by: Danna Kauffman

Position: FWA



*Keeping You Connected...Expanding Your Potential...
In Senior Care and Services*

Senate Finance Committee

February 24, 2026

Senate Bill 493 – *Nursing Facilities – Involuntary Discharge or Transfer*

POSITION: SUPPORT WITH AMENDMENT

On behalf of the LifeSpan Network, the largest and most diverse senior care provider association in Maryland, representing nursing facilities, assisted living providers, continuing care retirement communities, medical adult day care centers, senior housing communities, and other home and community-based services, we **support** Senate Bill 493 **with amendments**.

Senate Bill 493 amends the involuntary discharge process in nursing facilities to provide greater notice to individuals facing involuntary discharge. Involuntary discharge is permissible in Maryland and may be triggered by several circumstances, including the nursing facility no longer being able to provide the level of care needed, behavioral issues among residents (e.g., abusive behavior toward staff and residents), and non-payment. In working with the State’s Long-Term Care Ombudsman, we proposed the following amendments to clarify the bill’s intent and provide additional protections without overly restricting the process. With these amendments, LifeSpan urges support.

AMENDMENTS:

On page 2, in lines 11 and 12, strike “SUBTITLE, SUCH AS A HOTEL, SHELTER, OR OTHER TEMPORARY HOUSING” and substitute “SUBTITLE; AND”

On page 4, strike beginning in line 10 “(I)” down through “(II)” in line 13, in its entirety.

On page 5, in line 29, strike “30” and substitute “10”.

For more information call:

Danna L. Kauffman

Christine K. Krone

410-244-7000

DRMtestimony.SB493.pdf

Uploaded by: Leslie Margolis

Position: FWA

IN THE SENATE FINANCE COMMITTEE**Senate Bill 493: Nursing Facilities—Involuntary Discharge or Transfer****February 24, 2026****POSITION: SUPPORT WITH AMENDMENTS**

Disability Rights Maryland (DRM), a non-profit legal advocacy organization, is the federally-mandated Protection and Advocacy agency for the State of Maryland, charged with defending and advancing the rights of persons with disabilities. DRM has represented Maryland children, youth, and adults with disabilities for more than 40 years. DRM supports Senate Bill 493 with two amendments. DRM appreciates that the bill would put guardrails around the involuntary discharge or transfer of nursing home residents; we do, however, request an amendment regarding DRM's role as outlined in the bill,

Current federal nursing home law permits the involuntary discharge or transfer of nursing home residents in six circumstances. See 42 C.F.R. 483.15. However, for clarity, DRM recommends that Senate Bill 493 reference federal law so the bill is not interpreted to more widely condone the practice of involuntary discharge or transfer. DRM recommends that page 1, lines 19-20 be amended to read: "A resident of a facility may not be transferred or discharged from the facility involuntarily except for the following reasons **OUTLINED IN FEDERAL LAW...**"

DRM appreciates that Senate Bill 493 expands on federal law to ensure that all nursing home residents, regardless of how long they have resided in the home, receive notice of the impending involuntary discharge or transfer. Current federal law requires that nursing home residents with intellectual disabilities or mental illness be provided with the mailing address, email address and telephone number of the state's protection and advocacy agency if they are facing an involuntary discharge or transfer. However, Senate Bill 493 goes further than federal law and requires that nursing home residents in this situation be advised of "the availability of Disability Rights Maryland to assist residents with intellectual or developmental disabilities, mental disorders, and related disorders..." This provision is problematic, as DRM does not have the staff or resources to provide this assistance. When DRM does receive calls about this issue, staff refer the callers to Maryland Legal Aid, which does take these cases. Therefore, DRM requests the following amendment:

Page 4, lines 10-12: Strike this provision. (10)(l): "~~THE AVAILABILITY OF DISABILITY RIGHTS MARYLAND TO ASSIST RESIDENTS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, MENTAL DISORDERS, AND RELATED DISORDERS;~~"

Senate Bill 493: Testimony of Disability Rights Maryland, page 2

DRM supports Senate Bill 493 with these amendments.

Contact: Leslie Seid Margolis at lesliem@disabilityrightsmd.org or 443-692-2505.

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Uploaded by: Pamela Beidle

Position: FWA

SB0493/503020/1

NATM

BY: Finance Committee

AMENDMENTS TO SENATE BILL 493

(First Reading File Bill)

On page 2, strike beginning with “, **SUCH**” in line 11 down through “**HOUSING**” in line 12; and in line 12, after the semicolon insert “**OR**”.

On page 4, strike beginning with “**(I)**” in line 10 down through “**(II)**” in line 13.

On page 5, in line 29, strike “**30**” and substitute “**10**”.

SB 493 Involuntary Discharge.pdf

Uploaded by: Pamela Beidle

Position: FWA

PAMELA G. BEIDLE
Legislative District 32
Anne Arundel County

Chair, Finance Committee

Executive Nominations Committee

Joint Committee on Gaming Oversight

Joint Committee on Management
of Public Funds

Spending Affordability Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 24, 2026

Senate Bill 493
Nursing Facilities – Involuntary Discharge or Transfer

Good afternoon Vice Chair Hayes and Members of the Finance Committee:

Thank you for the opportunity to present SB 493, Senate Bill 493 Nursing Facilities – Involuntary Discharge or Transfer. SB 493 is about process, transparency, and protection for residents living in Maryland’s 220 nursing homes. An “involuntary discharge” is defined in federal regulation as a transfer or discharge initiated by a nursing facility without the consent of the resident or their representative. Under law, this can happen only for six specific reasons—yet the process continues to create serious concerns for residents and families alike.

Involuntary discharges from nursing facilities is one of the most common and distressing complaints reported by residents and families. According to the Maryland Long-Term Care Ombudsman Program, involuntary discharges remain the number-one complaint both in Maryland and nationwide. Too often, these discharges happen abruptly, leaving older adults without a safe place to go and families scrambling for options. Residents with complex medical needs are sometimes told to leave with little practical say in where they go, and families, if any, must find safe care on short notice. While Maryland law already limits involuntary discharge to a short list of reasons and requires written notice, we continue to see residents discharged to motels, shelters, or other unstable settings that cannot meet their medical and personal care needs. These failures turn a lawful discharge into a serious health and safety risk.

Senate Bill 493 focuses on *how* involuntary discharge and transfer are carried out. The bill:

- Updates and expands the information that must be included in the written notice and any updated notice of an involuntary discharge or transfer, building on Maryland’s standardized notice requirements.
- Prohibits involuntary discharge or transfer before the facility receives specified confirmations and documentation needed to ensure the resident’s care will continue safely after discharge.

- Requires that notices and updated notices be provided to residents within a clear minimum time period before the discharge or transfer so that residents, families, and the Long-Term Care Ombudsman have a meaningful opportunity to respond.
- Strengthens the required post-discharge plan of care by specifying additional information it must contain, such as the resident's goals, expected medical and basic needs after discharge, and how those needs will be met in the new setting.

SB 493 updates and strengthens how involuntary discharges are handled. Most importantly, it ensures that every nursing home resident, regardless of how long they have lived in a facility, has the right to a 30-day written notice before any involuntary discharge takes place.

Today, Maryland's statute largely mirrors federal nursing home regulations. But both the federal rules and our state statute only protect those residents who have lived in the nursing home for 30 days. SB 493 makes clear that every resident, whether long-term or short-stay, is entitled to a 30-day notice and time to plan when a facility initiates an involuntary discharge.

This bill is not just about due process—it is about dignity and safety. When residents are discharged without adequate notice, they frequently end up in hospital emergency departments—exacerbating Maryland's already long ER wait times. Providing 30-day notice gives residents, families, and care teams the time they need to create an appropriate plan, one that avoids unnecessary hospitalization and supports stable, person-centered transitions to community or alternative care settings.

Finally, SB 493 adds clear, simple, but vital language: every discharge must lead to a *safe, secure, and sustainable* destination. These words matter. Residents facing involuntary discharges are often medically fragile, cognitively impaired, or socially isolated. Our laws must do more than simply move people out; they must ensure every transition protects their health, dignity, and well-being.

By enacting SB 493, we reaffirm Maryland's commitment to protecting our most vulnerable residents, ensuring fairness, and improving outcomes across our long-term care system.

The Department has worked with LifeSpan and agreed on sponsor amendments. I respectfully request a "Favorable Report" on SB 493 with amendments.

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Uploaded by: Pamela Beidle

Position: FWA

SENATE BILL 493

J3

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CF 6lr1789

By: **Senator Beidle**

Introduced and read first time: February 2, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Facilities – Involuntary Discharge or Transfer**

3 FOR the purpose of prohibiting certain facilities from involuntarily transferring or
4 discharging a resident to certain housing or before receiving certain confirmations;
5 altering the information required to be included in a certain notice or updated notice;
6 requiring that a certain notice or updated notice be provided to certain residents at
7 least a certain period of time before an involuntary discharge or transfer; requiring
8 that a post discharge plan contain certain information; and generally relating to
9 nursing facilities and involuntary discharges and transfers.

10 BY repealing and reenacting, with amendments,

11 Article – Health – General

12 Section 19–345 and 19–345.1

13 Annotated Code of Maryland

14 (2023 Replacement Volume and 2025 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 19–345.

19 (a) A resident of a facility may not be transferred or discharged from the facility
20 involuntarily except for the following reasons:

21 (1) The transfer or discharge is necessary for the resident's welfare and the
22 resident's needs cannot be met in the facility;

2 **REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM**

1 (2) The transfer or discharge is appropriate because the resident's health
2 has improved sufficiently so that the resident no longer needs the services provided by the
3 facility;

4 (3) The health or safety of an individual in a facility is endangered;

5 (4) The resident has failed, after reasonable and appropriate notice, to pay
6 for, or under Medicare or Medicaid or otherwise, to have paid for a stay at the facility; or

7 (5) The facility ceases to operate.

8 (b) **A RESIDENT OF A FACILITY THAT IS TRANSFERRED OR DISCHARGED
9 FROM THE FACILITY INVOLUNTARILY MAY NOT BE TRANSFERRED OR DISCHARGED:**

10 **(1) TO A LOCATION OTHER THAN THE LOCATION IDENTIFIED IN THE
11 NOTICE REQUIRED UNDER § 19-345.1(B)(3) OF THIS SUBTITLE, SUCH AS A HOTEL,
12 SHELTER, OR OTHER TEMPORARY HOUSING; OR**

13 **(2) BEFORE THE FACILITY TO WHICH THE RESIDENT IS TO BE
14 TRANSFERRED HAS CONFIRMED THAT:**

15 **(I) THE RESIDENT MAY BE TRANSFERRED TO THE FACILITY;
16 AND**

17 **(II) THE FACILITY IS PREPARED TO ACCEPT THE RESIDENT.**

18 **(C) (1) A Medicaid certified facility may not:**

19 (i) Include in the admission contract of a resident any requirement
20 that, to stay at the facility, the resident will be required to pay for any period of time or
21 amount of money as a private pay resident for any period when the resident is eligible for
22 Medicaid benefits; or

23 (ii) Transfer or discharge a resident involuntarily because the
24 resident is a Medicaid benefits recipient.

25 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
26 Medicaid certified facility is presumed to be transferring or discharging a resident in
27 violation of this subsection, if the resident is or becomes eligible for Medicaid benefits.

28 (ii) A Medicaid certified facility is not presumed to be transferring or
29 discharging a resident in violation of this subsection for transferring or discharging a
30 resident for nonpayment for services while the resident was ineligible for assistance under
31 the medical assistance program.

32 19-345.1.

3 REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM

1 (a) (1) A facility shall provide the resident with written notice of:

2 [(1)] (I) Any proposed discharge or transfer; and

3 [(2)] (II) The opportunity for a hearing in accordance with the provisions
4 of this section before the discharge or transfer.

5 (2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS
6 SUBSECTION SHALL INCLUDE, AT A MINIMUM, THE INFORMATION LISTED UNDER
7 SUBSECTION (B) OF THIS SECTION.

8 (b) The Department shall prepare and provide each facility with a standardized
9 form that provides, in clear and simple language, at least the following information:

10 (1) Notice of the intended discharge or transfer of the resident, including
11 the proposed date of the intended discharge or transfer, which may change as a result of
12 an appeal or the discharge planning process;

13 (2) Each reason for the discharge or transfer;

14 (3) The location to which the resident will be discharged or transferred,
15 which may change as a result of an appeal or the discharge planning process;

16 (4) The name of the social worker or other professionally qualified staff,
17 which may change during the discharge planning process, who:

18 (i) Is designated to provide social services and discharge planning
19 services to the resident in connection with the discharge or transfer; and

20 (ii) Will be responsible for the development of the post discharge
21 plan of care under subsection (g) of this section;

22 (5) A proposed date within 10 days after the date of the notice for a meeting
23 between the resident, the resident's representative, and facility staff to develop the post
24 discharge plan of care under subsection (g) of this section;

25 (6) (I) The right of the resident to request a hearing;

26 (II) THE NAME, MAILING ADDRESS, E-MAIL ADDRESS, AND
27 TELEPHONE NUMBER OF THE ENTITY TO WHICH THE RESIDENT MUST SUBMIT A
28 REQUEST FOR A HEARING; AND

29 (III) INSTRUCTIONS FOR OBTAINING, COMPLETING, AND
30 SUBMITTING A REQUEST FOR A HEARING;

4 **REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM**

1 (7) The right of the resident to consult with any lawyer the resident
2 chooses;

3 (8) The availability of the services of the Legal Aid Bureau, the Older
4 American Act Senior Legal Assistance Programs, and other agencies that may provide
5 assistance to individuals who need legal counsel;

6 (9) **(I)** The availability of the Long-Term Care Ombudsman Program to
7 assist the resident; **AND**

8 **(II) THE MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE**
9 **NUMBER OF THE LONG-TERM CARE OMBUDSMAN PROGRAM;**

10 **(10) ~~(I) THE AVAILABILITY OF DISABILITY RIGHTS MARYLAND TO~~**
11 **~~ASSIST RESIDENTS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES,~~**
12 **~~MENTAL DISORDERS, AND RELATED DISORDERS; AND~~**

13 **~~(II)~~ THE MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE**
14 **NUMBER OF DISABILITY RIGHTS MARYLAND; and**

15 **[(10)] (11)** The provisions of this section.

16 (c) Except as otherwise provided in this section, at least 30 days before the facility
17 involuntarily transfers or discharges a resident, the facility shall:

18 (1) Provide to the resident the written notice required under subsection (a)
19 of this section; and

20 (2) Provide the written notice required under subsection (a) of this section
21 to:

22 (i) The resident;

23 (ii) The next of kin, guardian, or any other individual known to have
24 acted as the resident's representative, if any;

25 (iii) The Long-Term Care Ombudsman; and

26 (iv) The Department.

27 (d) (1) (i) In accordance with regulations adopted by the Secretary, the
28 facility shall provide the resident with an opportunity for a hearing on the proposed
29 transfer or discharge.

30 (ii) The regulations adopted by the Secretary may provide for the
31 establishment of an escrow account when:

5 REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM

- 1 1. The basis for the discharge is nonpayment; and
 2 2. The resident continues to reside in the facility while the
 3 appeal is pending.

4 (2) Except as otherwise provided in this subsection, hearings on proposed
 5 transfers or discharges shall be conducted in accordance with the provisions of Title 10,
 6 Subtitle 2 of the State Government Article and the Medicaid Fair Hearing Procedures.

7 (3) Any hearing on a proposed discharge or transfer of a resident:

8 (i) Is not a contested case as defined in § 10–202 of the State
 9 Government Article; and

10 (ii) May not include the Secretary as a party.

11 (4) A decision by an administrative law judge on a proposed discharge or
 12 transfer of a resident:

13 (i) Is not a decision of the Secretary;

14 (ii) Unless appealed, is final and binding on the parties; and

15 (iii) May be appealed in accordance with § 10–222 of the State
 16 Government Article as if it were a contested case but the appeal does not automatically
 17 stay the decision of the administrative law judge.

18 (e) The facility shall provide the written notice required in subsection (a) of this
 19 section as soon as practicable before discharge or transfer if[:

20 (1) An] AN emergency exists and health or safety of the resident or other
 21 residents would be placed in imminent and serious jeopardy if the resident were not
 22 transferred or discharged from the facility as soon as possible[; or

23 (2) The resident has not resided in the facility for 30 days].

24 (f) **(1)** If the information in the notice provided under subsection (c) of this
 25 section changes before the discharge or transfer, the facility shall provide the changes to
 26 the recipients of the notice as soon as practicable after the new information becomes
 27 available.

28 **(2)** **IF AN UPDATED NOTICE IS PROVIDED UNDER THIS SUBSECTION,**
 29 **THE RESIDENT MAY NOT BE DISCHARGED OR TRANSFERRED FOR AT LEAST ~~30~~ 10 DAYS**
 30 **AFTER THE UPDATED NOTICE HAS BEEN PROVIDED TO THE RESIDENT.**

6 REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM

1 (3) AN UPDATED NOTICE PROVIDED UNDER THIS SUBSECTION SHALL
2 INDICATE ANY DIFFERENCES BETWEEN THE PRIOR NOTICE AND THE UPDATED
3 NOTICE.

4 (g) (1) Before any discharge or transfer and subject to paragraphs (4) and (5)
5 of this subsection, a facility shall develop a post discharge plan of care for the resident to
6 assist the resident with adjusting to the resident's new living environment and that:

7 (i) Addresses the resident's post discharge goals of care and
8 treatment preferences; [and]

9 (ii) Identifies each of the resident's reasonably anticipated medical
10 and basic needs after discharge or transfer and establishes a plan for meeting those needs;

11 (III) IDENTIFIES THE ADDRESS AT WHICH THE RESIDENT WILL
12 RESIDE POST DISCHARGE; AND

13 (IV) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE
14 SECRETARY, PROVIDES A SAFE, SECURE, AND SUSTAINABLE ENVIRONMENT FOR
15 THE RESIDENT.

16 (2) The facility shall designate a social worker or other professionally
17 qualified staff member to coordinate the development of the resident's post discharge plan
18 of care.

19 (3) The facility shall, if possible, meet with the resident and, with the
20 resident's consent, the resident's representative within 10 days after providing the notice
21 required under subsection (a) of this section to discuss the post discharge plan of care for
22 the resident.

23 (4) (i) The resident's post discharge plan of care shall be developed with
24 the participation of the resident and, with the resident's consent, the resident's
25 representative.

26 (ii) If the post discharge plan of care was developed without the
27 participation of the resident or the resident's representative, the facility shall include in
28 the resident's medical record an explanation of why the resident or the resident's
29 representative did not participate.

30 (5) The resident's post discharge plan of care shall be developed in
31 consultation with:

32 (i) The resident's attending physician;

33 (ii) A registered nurse responsible for the care of the resident; and

7 **REPRINT OF SENATE BILL 493 as amended by SB0493/503020/1 02/19/26 at 4:11 PM**

1 (iii) Any other appropriate staff or professional involved with
2 meeting the resident's medical needs.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2026.

SB 493 testimony.pdf

Uploaded by: Viola Woolums

Position: FWA

**Maryland Legal Aid Testimony
SB493 – Nursing Facilities – Involuntary Discharge or Transfer
Hearing on February 24, 2026, Finance Committee
Position: Favorable with Amendment**

Maryland Legal Aid submits written and oral testimony on SB493 in response to a request from Senator Beidle.

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 hundreds of individuals who reside in nursing facilities. These clients are vulnerable adults living with disabilities who rely on their nursing facility to keep them safely housed and maintain their dignity.

People move out of their homes under a variety of circumstances; this is also true for people who make their homes in nursing facilities. State and federal laws protect residents during this process because they are among Maryland’s most vulnerable populations. Unfortunately, Maryland Legal Aid often receives calls for assistance from residents whose moves are chaotic and dangerous because nursing facilities are not giving them adequate notice to prepare for their move.

SB493 ensures that residents receive adequate notice and meaningful time to plan for their move. Federal and State law agrees that 30 days’ notice is generally required to evict¹ residents from their homes and that the notice they receive must include the location where they will go². Nursing facilities often exploit the weak language in the existing law to make last-minute changes to the locations indicated on the residents’ notices and, in the most egregious violations, send them to unsafe settings like homeless shelters and one-night cheap hotels.

Closing the loopholes that allow residents’ destinations to change within the 30-day notice period is critical for Maryland Legal Aid clients. It allows them to investigate their proposed new home to decide if it meets their needs and is a good fit. If it is not, then they have a meaningful opportunity to file an appeal. Some nursing facilities are currently emboldened to provide a final destination only 48 hours before a resident’s move. Imagine living with disabilities severe enough to require care in a nursing facility and then having only 2 days to investigate whether an unfamiliar location is safe and appropriate enough to become your new home.

Maryland Legal Aid respectfully requests one amendment, as attached to this testimony. When a nursing facility updates the location to which the resident is to be moved, it should be clear that

¹ 42 CFR § 483.15(c)(4)(i) and MD Health Gen. 19-345.1(c)(1). Note that “involuntary discharge” is the legal term of art for eviction from a nursing facility.

² 42 CFR § 483.15(c)(5)(iii) and MD Health Gen. 19-345.1(b)(3).

this update shall be provided via issuance of a new notice to which appeal rights attach. This ensures the resident retains the ability to appeal moves to new locations they find unsuitable.

Maryland Legal Aid urges a favorable report on SB 493, with the amendment described above, to ensure that residents moved out of a facility against their will maintain their dignity. If you have questions please contact Cornelia Bright Gordon, Director of Advocacy for Administrative Law, Maryland Legal Aid, at cbgordon@mdl原因.org, or Viola Woolums, Deputy Advocacy Director for Public Benefits, Maryland Legal Aid, at vwoolums@mdl原因.org.

PROPOSED AMENDMENT TO SB 493

P. 5 line 24 – p. 6 line 3

24 (f) (1) If the information in the notice provided under subsection (c) of this
25 section changes before the discharge or transfer, the facility shall provide the changes to
26 the recipients of the notice as soon as practicable after the new information becomes
27 available.

28 (2) ~~IF AN UPDATED NEW NOTICE IS PROVIDED UNDER THIS SUBSECTION,~~
29 ~~THE RESIDENT MAY NOT BE DISCHARGED OR TRANSFERRED FOR AT LEAST~~
30 ~~DAYS 30 AFTER THE UPDATED NEW NOTICE HAS BEEN PROVIDED TO THE~~
~~RESIDENT, AND APPEAL RIGHTS ATTACH TO THE NEW NOTICE.~~

1 (3) ~~AN UPDATED NEW NOTICE PROVIDED UNDER THIS SUBSECTION SHALL~~
2 ~~INDICATE ANY DIFFERENCES BETWEEN THE PRIOR NOTICE AND THE UPDATED~~
3 ~~NOTICE.~~