

**Written Testimony**  
**Opposition to House Bill 424**  
**Submitted by Rusty Mitchell**  
**Executive Director, Homewood Living Williamsport**  
**Before the Maryland House Health Committee**

Chair Delegate Bagnall, Vice Chair Delegate Bonnie Cullison, and Members of the Committee:

Thank you for the opportunity to submit written testimony in opposition to House Bill 424. My name is Rusty Mitchell, and I currently serve as the Executive Director of Homewood Living Williamsport. Prior to this role, I served as Associate Executive Director of Homewood Living Frederick. In my position, I have worked closely with residents, resident associations, the governing board, and staff, and I have seen firsthand how governance decisions affect the daily life, stability, and culture of our communities.

While I respect the intentions of residents who support this legislation, I am concerned that HB424 would create unintended consequences that ultimately diminish resident participation and destabilize effective governance within multi-campus nonprofit continuing care retirement communities.

**Resident Voice Already Exists**

Residents currently have a meaningful and structured voice in Homewood's governance. Across Homewood's five communities, **seven residents presently participate in governance** through board and alternate board roles. These residents meet the same qualifications as all other board members and serve in a fiduciary capacity, with duties focused on the long-term health and mission of the organization.

This governance model has proven effective. It ensures resident perspectives are heard while maintaining fiduciary consistency and mission alignment across multiple communities.

**Concern with a Largest-Campus Election Model**

A significant concern with HB424 is how it would function in practice within a multi-campus organization. A mandated resident-elected board position will be determined by the largest campus, regardless of whether that individual reflects the perspectives or priorities of residents at smaller communities.

As Executive Director of Homewood Living Williamsport, I can state clearly that many of **our residents are not aligned with the subset of residents at Homewood Living Frederick advocating for this legislation**. Resident leaders at Homewood Living Williamsport have expressed frustration with what they view as disruptive actions associated with those efforts and do not wish to see their community governed by dynamics driven by another campus.

**Risk of Reduced Resident Participation**

Ironically, HB424 could result in **less resident participation rather than more**. If enacted, organizations may be compelled to restructure their boards to manage fiduciary risk, governance

conflict, and operational complexity. Such restructuring could lead to fewer resident board seats, or consolidation of resident representation.

What currently exists as a system with multiple resident voices across communities could be reduced to a single mandated voting position.

### **Operational and Community Impact**

From an operational standpoint, governance stability matters. When board composition becomes politicized or contentious, it affects leadership continuity, staff morale, resident trust, and the ability to focus on care and service rather than conflict.

Having led both the Williamsport and Frederick communities, I can say with confidence that **residents across Homewood's communities do not share uniform concerns or priorities**, and a one-size-fits-all governance mandate does not reflect that reality.

### **Conclusion**

Residents at Homewood already have a meaningful voice in governance—one that is responsible, effective, and respectful of fiduciary obligations. HB424 risks undermining that system by creating governance imbalance, reducing resident participation, and elevating the interests of one community over others.

For these reasons, and based on my direct experience leading multiple Homewood communities, I respectfully urge the committee to oppose House Bill 424.

Thank you for your consideration.