



COMMISSION ON AGING

TESTIMONY ON HB0965 - POSITION: UNFAVORABLE

Office of Health Care Quality Stakeholder Advisory Council – Establishment

TO: Chair Bagnall, Vice Chair Cullison, and members of the Health Committee

FROM: Linda Bergofsky, Co-Chair, Montgomery County Commission on Aging

I am writing on behalf of the Montgomery County Commission on Aging (CoA) regarding HB0965 — Office of Health Care Quality Stakeholder Advisory Council – Establishment. This legislation establishes a new advisory body to provide feedback to the Office of Health Care Quality (OHCQ) regarding maintaining oversight of health care facilities and to notify the Secretary of Health if the Office is negligent in providing oversight.

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 older residents at the local, State, and National levels. This bill relates to a priority issue for the CoA, specifically nursing home quality. However, we cannot support the bill, for a variety of reasons.

Our lack of support for this bill is tied largely to the existence of an advisory group whose mission and composition are almost identical — the Oversight Committee on Quality of Care in Nursing Homes and Assisted Living Facilities, which is under the purview of the Department of Aging. It's not clear what unique benefits would be derived from a workgroup of nursing home and hospital stakeholders that have not been realized from the Oversight Committee, which operates amid a wide array of formal state and federal efforts to monitor and improve health care quality.

The proposed bill does not include any mention of how these two stakeholder workgroups would even interact, if at all, much less share learning and insights. And, while the CoA appreciates the sponsor's intention to increase stakeholder involvement in the oversight of both hospital and nursing home quality, we wanted to acknowledge that hospital quality and nursing home quality are very different from one another in how they are measured and addressed.

Department of Health and Human Services

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As you may know, the Montgomery County CoA had for several years raised the issue of OHCQ failing to meet its statutory obligation to inspect nursing homes timely. Last year, we successfully advocated (through testimony and other means) for more transparency and accountability from OHCQ, which now must submit bi-annual reports to each Area Agency on Aging regarding nursing home inspections. The OHCQ budget hearing on February 23, 2026 included testimony that OHCQ is closing the gap in completing inspections timely, at least compared to this time in 2025.

The proposed legislation effectively duplicates the membership of the existing Oversight Committee without any clear benefit to consumers. We also note the proposed Health Care Quality Stakeholder Advisory Group is to include facility staff representation without remuneration, which we believe is inequitable. Lastly, there are existing structures in place to follow up on complaints in health care facilities. It is for all these reasons we believe HB0965 is duplicative and would not achieve the sponsor's intent. We therefore respectfully urge the return of an unfavorable decision and report on HB0965.

Instead, the CoA encourages the General Assembly to focus its efforts on strengthening the role of the existing Oversight Committee to make it more effective and impactful on improving nursing home and assisted living quality. The General Assembly should continue to hold OHCQ accountable for following up on complaints and conducting inspections timely. We also request that the General Assembly require more explicit cooperation and information sharing between the Department of Health and the Department of Aging regarding the results of facility inspections and complaint investigations, particularly in long-term care settings. Finally, we ask the General Assembly to fully fund the Maryland Long-Term Care Ombudsman Program as laid out in SB0340.

Linda Bergofsky
Co-Chair
Montgomery County Commission on Aging