



Maryland
Hospital Association

**House Bill 1553- Estates and Trusts - Guardianship of the Person of a Disabled Person -
Emergency and Temporary Guardianship Petitions**

Position: *Support with Amendments*

March 11, 2026

House Judiciary Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support with amendments on House Bill 1553. This bill clarifies the process for emergency and temporary guardianship petitions and enables courts to authorize protective services when an adult is at risk of medical or physical neglect from their guardian. These safeguards are essential to protect vulnerable individuals who are incapacitated and may not have a family member or other representative available to care for or advocate on their behalf.

HB 1553 allows courts to authorize protective services necessary to address an emergency through a temporary order. This helps ensure that individuals in crisis receive timely intervention and that necessary services can be implemented without unnecessary delay. Similarly, many incapacitated and unrepresented patients remain hospitalized for months beyond medical necessity due to court scheduling delays and the limited availability of qualified guardians. During this period, patients remain in hospital beds despite no longer needing acute care services. These patients require more specialized post-acute care but are unable to transition to the appropriate post-acute setting because no individual has legal authority to manage the patient's finances or complete benefits applications. This not only risks deterioration of the patient's condition owing to not receiving appropriate care but also delays access for other patients who require hospitalization, contributes to emergency department crowding, and increases systemwide costs when care is delivered in a setting that is more intensive than medically necessary.

To that end, we respectfully request an amendment that will allow courts to authorize these temporary protective services in circumstances when these incapacitated patients require a safe, timely discharge or transfer to a more appropriate setting, such as a skilled nursing facility or a rehabilitation center. This amendment is critical to ensure that vulnerable patients, within the limited circumstances provided for in the bill, can transition to settings that better meet their clinical and supportive care needs when warranted.

Hospitals strongly support the goal of protecting vulnerable adults while ensuring that appropriate safeguards and due process protections remain in place. Clarifying that temporary protective service orders may be used in limited circumstances to facilitate medically appropriate

discharge would help courts and providers work together more effectively to serve these individuals.

For these reasons, we request a favorable with amendments report on HB 1553.

Amendment 1

On page 12, line 22, strike "Or" and in line 23, add:

(II) THE PROVISION OF PROTECTIVE SERVICES ON A TEMPORARY BASIS COULD HELP FACILITATE A MEDICALLY APPROPRIATE HOSPITAL DISCHARGE; OR"

For more information, please contact:

Natasha Mehu, Vice President, Government Affairs & Policy

Nmehu@mhaonline.org