

**Bill: SB 966 *Health Facilities – Assisted Living Programs – Referrals and Licenses***

**Committee: Finance**

**Position: Support**

**March 5, 2020**

**When an individual needs an assisted living facility, they often turn to a professional to help them choose a place that meets their needs. This trusted professional may be a representative from a placement agency, hospital, nursing home or other entity who appears to know and understand placement options that will meet the person's needs. Sadly, this is not always the case, and the trusted individual will knowingly refer them to an unlicensed assisted living facility.**

**Assisted living facility residents are required to receive care and supervision from staff that have received training, and from facilities that have met the requirements under Maryland law. In Maryland, an assisted living facility is required to have a license issued by the Office of Health Care Quality (OHCQ). It is a felony to operate an assisted living facility without a license.**

**The Long-Term Care Ombudsman Program provides advocacy for residents of assisted living facilities and nursing homes. The needs of assisted living residents often are the same as nursing home residents, and many assisted living residents have a nursing home level of care. These individuals may have very complex medical, cognitive, and psychological needs resulting in the need for specialized care.**

**As the State Long-Term Care Ombudsman, I am seeing an increase in the number of unlicensed assisted living facilities and egregious complaints when individuals are sent to these places. Discharge related issues are the Long-Term Care Ombudsman Program's number one complaint. This bill would help ensure protection and a better quality of life for residents by decreasing the number of discharge complaints related to unlicensed assisted living facilities.**

**In July 2019, the Maryland Attorney General's Office announced the indictments of three operators of unlicensed assisted living facilities in Baltimore. The charges included exploitation, abuse and neglect of**

**a vulnerable adult, embezzlement, theft, fraud, and the operation of an assisted living facility without a license. Sadly, this is not the only instance of predatory behavior by unlicensed assisted living providers. The Long-Term Care Ombudsman program has seen other cases of unsafe living conditions in these types of establishments, including care issues leading to hospitalization and debility, trafficking of residents for their benefits, fires and other life and safety issues.**

**This bill provides requirements for assisted living referrers including a process for registering with OHCQ, providing disclosures to clients, referring individuals to licensed assisted living facilities and referring unlicensed assisted living facilities to OHCQ. This bill would help prevent placement at unlicensed assisted living facilities.**

**Some licensed assisted living providers have been known to operate both licensed and unlicensed sites, and have referred individuals to other unlicensed assisted living facilities. This is a very serious public health and safety issue. This bill would help ensure that these referrals stop, and that residents are protected.**

**If this law is passed, the focus should be on professionals that are knowingly making referrals to unlicensed assisted living facilities rather than individuals that may not understand the difference between licensed and unlicensed facilities.**

**Maryland residents deserve to have excellent quality of care and quality of life in assisted living facilities. I strongly urge you to support this bill for the health and well-being of these Maryland residents.**

**Note – This vote of support is from the Office of the State Long-Term Care Ombudsman not Maryland Department of Aging.**

**Stevanne Ellis  
Maryland Long-Term Care Ombudsman**