

**Testimony in Support of SB0966 Health Facilities – Assisted Living Programs –
Referrals and Licenses**
Senate Finance Committee
March 5, 2020

The Mental Health Association of Maryland (MHAMD) is a voluntary, non-profit citizens' organization concerned with all aspects of behavioral health. MHAMD's Coalition on Mental Health and Aging (the Coalition) is comprised of representatives from aging, mental health, consumer, family and professional associations and government agencies working together to improve the quality and accessibility of behavioral health assessment, treatment, recovery and illness prevention services for older Marylanders. Problems in assisted living have long disturbed our membership and we have frequent conversations about the need for some basic corrections to methods of referrals and problems with unlicensed facilities. **The passage of SB 966 is a top priority for our members.**

Assisted living programs are licensed to be protective of the health and safety of residents and staff. Operating an assisted living program without a license is a felony. It is completely unacceptable for a professional or agency to knowingly make a referral to an unlicensed facility yet this is happening all over Maryland and seems to be on the rise. Placement can be particularly challenging for individuals with behavioral health needs or problematic behavioral and psychiatric symptoms of dementia.

Individuals with dementia, mental illness and substance use disorders and vulnerable adults without the support friendly advocates are disproportionately placed in unlicensed programs and many suffer substandard care in substandard conditions. SB 966 is critical to stop this practice and curtail the bad actors in the growing "business" of assisted living placement. Under SB 966, a person must immediately cease operations and is prohibited from running an assisted living program in the future if s/he makes a third attempt to do so without a license. In addition, SB 966 requires individuals or agencies in the business of making referrals to register with the Office of Health Care Quality, disclose pertinent information and ONLY refer to licensed assisted living programs. These are sensible and necessary rules.

SB 966 protects vulnerable adults especially those who, by virtue of illness or disability, are unable to self-advocate, and it holds professionals to legal and ethical conduct with penalties for those who violate the law. This is a very important piece of legislation and we strongly urge your favorable report on SB 966.