



6811 Campfield Road
Baltimore, MD 21207

TO: The Honorable Delores Kelley
Chairwoman, Finance Committee

FROM: LeadingAge Maryland

SUBJECT: Senate Bill 204, Health Care Facilities – Assisted Living Programs – Memory Care and Alzheimer’s Disease Unit Regulations

DATE: February 11, 2021

POSITION: Unfavorable

LeadingAge Maryland writes to request an unfavorable report on Senate Bill 204, Health Care Facilities – Assisted Living Programs – Memory Care and Alzheimer’s Disease Unit Regulations.

LeadingAge Maryland is a community of not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. We represent more than 120 not-for-profit organizations, including the vast majority of CCRCs in Maryland. Our mission is to expand the world of possibilities for aging in Maryland. We partner with consumers, caregivers, researchers, faith communities and others who care about aging in Maryland.

Under Senate Bill 204, the Maryland Department of Health (MDH) must adopt regulations that establish specific standards governing memory care and Alzheimer’s disease units in assisted living program. Those standards include staff training requirements, a number of hours and topic content of dementia–specific training that is required to be completed annually, staffing pattern requirements which requires a direct care staff and nursing staff ratio, appropriate frequency and type of activities for residents, procedures that are beyond those procedures historically provided for in an assisted living program, including frequency of

nighttime bed checks to prevent dangerous events among residents and admissions and discharge criteria and procedures.

LeadingAge Maryland supports quality care and appreciates the Sponsor's intent. However, as we are still immersed in a global pandemic, now is just not the time for additional requirements. Providers are facing incredible burden in continuing to operate during this pandemic. Placing more regulatory burden will further challenge operations. Assisted livings are already required to provide training to all staff on Alzheimer's disease and related dementias.

We would like to see the draft Assisted Living regulations finalized by the Office of Health Care Quality. These regulations should appropriately include updated training requirements. Given the current State of Emergency, now is not the time for such changes.

Additionally, the industry continues to wrestle with workforce challenges. We need every worker we can find. We are seeing workforce challenges across the State and country, and there should be no requirements enacted that would preclude otherwise eligible and qualified individuals from working in our field. Senate Bill 204 will alter direct care and nursing staff ratios and add new certification requirements for activities/recreation personnel. There is simply no excess workforce to absorb such changes.

Over the last year, the industry has been tested. We have more to learn and we will apply these lessons to our practice. We would welcome continued discussions with the Sponsor but for these reasons, LeadingAge Maryland respectfully requests an unfavorable report for Senate Bill 204.

For additional information, please contact Aaron J. Greenfield, 410.446.1992