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March 9, 2021

Honorable Shane E. Pendergrass
Chairman, House Health & Government Operations Committee
House Office Building, Room 241
6 Bladen St., Annapolis, MD 21401

**RE: Maryland Legal Aid’s Testimony in Support of House Bill 416 -
Assisted Living Programs: Memory Care and Alzheimer’s Disease
Unit Regulations**

Dear Chairman Pendergrass, Delegate Belcastro, and Members of the Health & Government Operations Committee:

Thank you for the opportunity to provide testimony on this important bill. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services in civil matters to the State’s low-income residents, including abused and neglected children, nursing home residents, and veterans. MLA’s Long Term Care Assistance Project provides advice, assistance, and representation to older adults and persons with disabilities throughout the State. Maryland Legal Aid strongly supports HB 416 and asks that this committee give it a favorable report.

This letter serves as notice that Alle McNorton Andresen, Esq. will testify on behalf of Maryland Legal Aid at Delegate Lisa Belcastro’s request. This Bill will establish regulatory standards of care in Memory Care and Alzheimer’s Disease Units in licensed Assisted Living Facilities.

Individuals living with dementia residing in Memory Care and Alzheimer’s Disease Units in Assisted Living Facilities have unique needs and require specialized care. The regulatory standards governing these facilities should reflect those needs. Residents with conditions that affect memory loss frequently receive inappropriate treatment by providers. HB 416 will, for the first time, establish standards of care, precisely elaborate staffing standards and staff training requirements that will benefit the residents’ health and safety, and enhance staff skills necessary for the appropriate care for people living with dementia.

The COVID-19 pandemic has brought increased attention to this issue. Visitation limitations and prohibitions have been in place since March 2020. Now, residents of Memory Care Units are more reliant on facility staff than ever before. Family and friends currently encounter strict limitations on visitation and the supplementation of facility-provided care and associated mental stimulation for

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their loved ones. Also, family and friends currently experience a drastic reduction in their ability to advocate for loved ones in care. Understaffed facilities negatively impact residents' care and quality of life, and undertrained staff cannot properly evaluate and care for the residents. Many residents with dementia and other memory-related diseases do not receive the care they need. Unfortunately, many residents cannot advocate for themselves.

MLA's clients would directly benefit from the changes proposed in HB 416. For example, one previous MLA client was living with Parkinson's induced dementia. He was stable and well managed at a Nursing Home. However, when the nursing home discharged him to an Assisted Living Facility, the staff were not trained to evaluate and care for a person experiencing dementia. Our client's medical condition decompensated, and ultimately, he was found wandering the streets. His physical and mental state became reduced so rapidly that he went from living in an appropriate, least restrictive environment to one that required stabilization in the most restrictive environment possible—an inpatient unit at a mental health hospital. This series of unfortunate events could have been avoided if the Assisted Living Facility staff was adequately trained and prepared to care for a resident suffering from a memory-related disease.

The standards this Bill seeks to establish will ensure that Assisted Living Facilities provide appropriate care that meets the unique needs of residents in dementia-related disease units. Requiring specialized training for staff working in these units will ensure their ability to deliver the appropriate care needed by residents with memory issues. The establishment of staffing requirements will promote residents' care, health, and well-being. **MLA strongly supports HB 416 and urges this committee to give it a favorable report.**

/s/ Alle Andresen

Alle M. Andresen, Esq.

Staff Attorney, Long Term Care Assistance Project

Maryland Legal Aid