



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

HB 723

**Office of the Attorney General – Rights of Residents of Health Care Facilities –
Injunctive Relief and Penalties**

In the House Health and Government Operations Committee, February 21, 2024

Position: FAVORABLE

Maryland Legal Aid submits this written and oral testimony on HB 723 at the request of the Maryland State Ombudsman, Ms. Stevanne Ellis.

Maryland Legal Aid (MLA) asks that the Committee report **favorably** on HB 723, which establishes a bill of rights for residents of assisted living facilities and enhanced enforcement powers of the Maryland Attorney General. The bill will substantially protect MLA’s vulnerable and disabled clients that reside in assisted living facilities. It also permits the Office of the Attorney General to seek injunctive relief and request civil penalties for violations of basic rights committed by assisted living facilities.

MLA is a non-profit law firm that provides free legal services to the State’s low-income and vulnerable residents. Our twelve offices serve residents in each of Maryland’s 24 jurisdictions and handle a range of civil legal matters, including representation of adults residing in nursing homes and assisted living facilities, in cases relating to health care access, long-term care, evictions from facilities and debt collection.

Maryland has few statutes that protect residents of assisted living facilities, which are home to many of Maryland’s most vulnerable citizens. HB 723 creates a Residents Bill of Rights that allows the Attorney General to seek injunctive relief and pursue civil penalties for violations of those rights and would help to ensure these vulnerable persons receive the best possible care.

The bill will enact law that provides basic rights, including the right to be treated with consideration, respect, and full recognition of human dignity and individuality; the right to be free from mental, verbal, sexual, and physical abuse and/or neglect; the right to participate in decision-making around transition of care; and the right to manage personal financial affairs. Finally, Maryland would create rights that protect residents’ dignity and autonomy.

MLA has served thousands of residents of assisted living facilities across the state and has worked to remedy egregious issues, including financial abuse, theft of private money and public benefits, neglect, substandard living conditions, forced medical and financial decision-making, and many forms of abuse. In one case, Client D experienced several instances of neglect after a hospital stay, including being left on the floor for hours when she was too weak to get up. A Resident’s Bill of Rights for assisted living facility residents will bolster the legal rights and dignity of assisted living facility residents, and reduce harm at these facilities, which occurs throughout the entire state.

Maryland Legal Aid strongly urges the Committee to issue a FAVORABLE report and PASSAGE on HB 723. If you have any questions, please contact Jessica Spraker, (410) 951-7763, jspraker@mdlab.org; or Alle Andresen, (410) 951-7765, aandresen@mdlab.org.

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