



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 21, 2024

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: House Bill 723 - Office of the Attorney General - Rights of Residents of Health Care Facilities - Injunctive Relief and Penalties – Letter of Support

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Department of Health (Department) respectfully submits this letter of support for House Bill (HB) 723 - Office of the Attorney General - Rights of Residents of Health Care Facilities - Injunctive Relief and Penalties.

The Office of Health Care Quality (OHCQ) is the agency within the Department charged with monitoring compliance with regulatory standards in certain health care facilities and community-based programs, including nursing homes and assisted living programs. In nursing homes, OHCQ conducts surveys to determine compliance with State licensure and federal certification requirements. In assisted living programs, OHCQ conducts surveys to determine compliance with State licensure requirements. In both settings, OHCQ investigates complaints and facility-related incidents.

It is essential to protect the basic rights of the residents of Maryland's nursing homes and assisted living programs. This bill provides an additional protection to these residents by authorizing the Attorney General to seek injunctive relief on behalf of the State on the basis of an imminent or ongoing violation of a basic right of residents of nursing homes or assisted living programs. Additionally, the Attorney General may request that the Court impose a civil penalty not to exceed \$10,000 for each violation by an assisted living program.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at sarah.case-herron@maryland.gov.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.
Secretary